

Calendar No. 227

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 640**

[Report No. 104-170]

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## A BILL

To provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

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NOVEMBER 9, 1995

Reported with an amendment

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IN THE SENATE OF THE UNITED STATES

MARCH 28 (legislative day, MARCH 27), 1995

Mr. WARNER (for himself, Mr. CHAFEE, Mr. REID, Mr. BOND, Mr. GRAHAM, and Mr. McCONNELL) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

NOVEMBER 9, 1995

Reported by Mr. CHAFEE, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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A BILL

To provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Water Resources Development Act of 1995”.

4 (b) TABLE OF CONTENTS.—The table of contents of  
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCES PROJECTS

Sec. 101. Project authorizations.

Sec. 102. Project modifications.

Sec. 103. Project deauthorizations.

Sec. 104. Studies.

TITLE II—PROJECT-RELATED PROVISIONS

Sec. 201. Morgan Point, Arkansas.

Sec. 202. White River Basin Lakes, Arkansas and Missouri.

Sec. 203. Pine Flat Dam fish and wildlife habitat restoration, California.

Sec. 204. Central and southern Florida.

Sec. 205. West Palm Beach, Florida.

Sec. 206. Periodic maintenance dredging for Greenville Inner Harbor Channel,  
Mississippi.

Sec. 207. Sardis Lake, Mississippi.

Sec. 208. Libby Dam, Montana.

Sec. 209. Small flood control project, Malta, Montana.

Sec. 210. Cliffwood Beach, New Jersey.

Sec. 211. Fire Island Inlet, New York.

Sec. 212. Wister Lake project, LeFlore County, Oklahoma.

Sec. 213. Abandoned and wrecked barge removal, Rhode Island.

Sec. 214. Providence River and Harbor, Rhode Island.

Sec. 215. Rudee Inlet, Virginia Beach, Virginia.

Sec. 216. Virginia Beach, Virginia.

TITLE III—GENERAL PROVISIONS

Sec. 301. Cost-sharing for environmental projects.

Sec. 302. Collaborative research and development.

Sec. 303. National inventory of dams.

Sec. 304. Hydroelectric power project uprating.

Sec. 305. Federal lump-sum payments for Federal operation and maintenance  
costs.

Sec. 306. Cost-sharing for removal of existing project features.

Sec. 307. Termination of technical advisory committee.

Sec. 308. Conditions for project deauthorizations.

Sec. 309. Participation in international engineering and scientific conferences.

Sec. 310. Research and development in support of Army civil works program.

Sec. 311. Interagency and international support authority.

Sec. 312. Expansion of section 1135 program.

Sec. 313. Environmental dredging.

Sec. 314. Feasibility studies.  
 Sec. 315. Obstruction removal requirement.  
 Sec. 316. Levee owners manual.  
 Sec. 317. Risk-based analysis methodology.  
 Sec. 318. Sediments decontamination technology.  
 Sec. 319. Melaleuca tree.  
 Sec. 320. Faulkner Island, Connecticut.  
 Sec. 321. Designation of lock and dam at the Red River Waterway, Louisiana.  
 Sec. 322. Jennings Randolph access road, Garrett County, Maryland.  
 Sec. 323. New York State canal system.  
 Sec. 324. Quonset Point-Davisville, Rhode Island.  
 Sec. 325. Capital improvements for the Washington Aqueduct.  
 Sec. 326. Chesapeake Bay environmental restoration and protection program.  
 Sec. 327. Technical corrections.

1 **SEC. 2. DEFINITION OF SECRETARY.**

2 In this Act, the term "Secretary" means the Sec-  
 3 retary of the Army.

4 **TITLE I—WATER RESOURCES**  
 5 **PROJECTS**

6 **SEC. 101. PROJECT AUTHORIZATIONS.**

7 Except as otherwise provided in this section, the fol-  
 8 lowing projects for water resources development and con-  
 9 servation and other purposes are authorized to be carried  
 10 out by the Secretary substantially in accordance with the  
 11 plans, and subject to the conditions, recommended in the  
 12 respective reports designated in this section:

13 (1) ~~MARIN COUNTY SHORELINE, SAN RAFAEL~~  
 14 ~~CANAL, CALIFORNIA.~~—The project for hurricane and  
 15 storm damage reduction, Marin County Shoreline,  
 16 San Rafael Canal, California: Report of the Chief of  
 17 Engineers, dated January 28, 1994, at a total cost  
 18 of \$27,200,000, with an estimated Federal cost of

1       \$17,700,000 and an estimated non-Federal cost of  
2       \$9,500,000.

3       (2) ~~SAN LORENZO RIVER, CALIFORNIA.~~—The  
4       project for flood control, San Lorenzo River, Califor-  
5       nia: Report of the Chief of Engineers, dated June  
6       30, 1994, at a total cost of \$16,100,000, with an es-  
7       timated Federal cost of \$8,100,000 and an esti-  
8       mated non-Federal cost of \$8,000,000 and the habi-  
9       tat restoration, at a total cost of \$4,050,000, with  
10      an estimated Federal cost of \$3,040,000 and an es-  
11      timated non-Federal cost of \$1,010,000.

12      (3) ~~SANTA BARBARA HARBOR, SANTA BARBARA~~  
13      ~~COUNTY, CALIFORNIA.~~—The project for navigation,  
14      Santa Barbara Harbor, Santa Barbara, California:  
15      Report of the Chief of Engineers, dated April 26,  
16      1994, at a total cost of \$5,720,000, with an esti-  
17      mated Federal cost of \$4,580,000 and an estimated  
18      non-Federal cost of \$1,140,000.

19      (4) ~~PALM VALLEY BRIDGE REPLACEMENT, ST.~~  
20      ~~JOHNS COUNTY, FLORIDA.~~—The project for naviga-  
21      tion, Palm Valley Bridge, County Road 210, over  
22      the Atlantic Intracoastal Waterway in St. Johns  
23      County, Florida: Report of the Chief of Engineers,  
24      dated June 24, 1994, at a total Federal cost of  
25      \$15,312,000. As a condition of receipt of Federal

1 funds, St. Johns County shall assume full ownership  
2 of the replacement bridge, including all associated  
3 operation, maintenance, repair, replacement, and re-  
4 habilitation costs.

5 (5) ILLINOIS SHORELINE EROSION, INTERIM III,  
6 WILMETTE TO ILLINOIS AND INDIANA STATE  
7 LINE.—The project for storm damage reduction and  
8 shoreline erosion protection from Wilmette, Illinois,  
9 to the Illinois and Indiana State line: Report of the  
10 Chief of Engineers, dated April 14, 1994, at a total  
11 cost of \$197,000,000, with an estimated Federal  
12 cost of \$106,000,000 and an estimated non-Federal  
13 cost of \$91,000,000, and the breakwater near the  
14 South Water Filtration Plant, a separable element  
15 of the project at a total cost of \$9,027,000, with an  
16 estimated Federal cost of \$5,868,000 and an esti-  
17 mated non-Federal cost of \$3,159,000. The oper-  
18 ation, maintenance, repair, replacement, and reha-  
19 bilitation of the project after construction shall be  
20 the responsibility of the non-Federal interests.

21 (6) KENTUCKY LOCK ADDITION, KENTUCKY.—  
22 The project for navigation, Kentucky Lock Addition,  
23 Kentucky: Report of the Chief of Engineers, dated  
24 June 1, 1992, at a total cost of \$467,000,000. The  
25 construction costs of the project shall be paid—

1           (A) 50 percent from amounts appropriated  
2           from the general fund of the Treasury; and

3           (B) 50 percent from amounts appropriated  
4           from the Inland Waterways Trust Fund estab-  
5           lished by section 9506 of the Internal Revenue  
6           Code of 1986.

7           (7) WOLF CREEK HYDROPOWER, CUMBERLAND  
8           RIVER, KENTUCKY.—The project for hydropower,  
9           Wolf Creek Dam and Lake Cumberland, Kentucky:  
10          Report of the Chief of Engineers, dated June 28,  
11          1994, at a total cost of \$50,230,000. Funds derived  
12          by the Tennessee Valley Authority from the power  
13          program of the Authority and funds derived from  
14          any private or public entity designated by the South-  
15          eastern Power Administration may be used for all or  
16          part of any cost-sharing requirements for the  
17          project.

18          (8) STABILIZATION OF NATCHEZ BLUFFS, MIS-  
19          SISSIPPI.—The project for bluff stabilization, Natch-  
20          ez Bluffs, Natchez, Mississippi: Natchez Bluffs  
21          Study, dated September 1985, Natchez Bluffs  
22          Study: Supplement I, dated June 1990, and Natchez  
23          Bluffs Study: Supplement II, dated December 1993,  
24          in the portions of the bluffs described in the reports  
25          designated in this paragraph as Clifton Avenue, area

1       3; Bluff above Silver Street, area 6; Bluff above  
 2       Natchez Under-the-Hill, area 7; and Madison Street  
 3       to State Street, area 4, at a total cost of  
 4       \$17,200,000, with an estimated Federal cost of  
 5       \$12,900,000 and an estimated non-Federal cost of  
 6       \$4,300,000.

7           (9) WOOD RIVER AT GRAND ISLAND, NE-  
 8       BRASKA.—The project for flood control, Wood River  
 9       at Grand Island, Nebraska: Report of the Chief of  
 10      Engineers, dated May 3, 1994, at a total cost of  
 11      \$10,500,000, with an estimated Federal cost of  
 12      \$5,250,000 and an estimated non-Federal cost of  
 13      \$5,250,000.

14          (10) WILMINGTON HARBOR, CAPE FEAR-  
 15      NORTHEAST CAPE FEAR RIVERS, NORTH CARO-  
 16      LINA.—The project for navigation, Wilmington Har-  
 17      bor, Cape Fear-Northeast Cape Fear Rivers, North  
 18      Carolina: Report of the Chief of Engineers, dated  
 19      June 24, 1994, at a total cost of \$23,290,000, with  
 20      an estimated Federal cost of \$16,955,000 and an es-  
 21      timated non-Federal cost of \$6,335,000.

22          (11) DUCK CREEK, OHIO.—The project for  
 23      flood control, Duck Creek, Cincinnati, Ohio: Report  
 24      of the Chief of Engineers, dated July 28, 1994, at  
 25      a total cost of \$15,408,000, with an estimated Fed-



1       eral cost of \$11,556,000 and an estimated non-Fed-  
2       eral cost of \$3,852,000.

3       (12) POND CREEK, OHIO.—The project for  
4       flood control, Pond Creek, Ohio: Report of the Chief  
5       of Engineers, dated June 28, 1994, at a total cost  
6       of \$16,865,000, with an estimated Federal cost of  
7       \$11,243,000 and an estimated non-Federal cost of  
8       \$5,622,000.

9       (13) COOS BAY, OREGON.—The project for  
10      navigation, Coos Bay, Oregon: Report of the Chief  
11      of Engineers, dated June 30, 1994, at a total cost  
12      of \$14,541,000, with an estimated Federal cost of  
13      \$10,777,000 and an estimated non-Federal cost of  
14      \$3,764,000.

15      (14) BIG SIOUX RIVER AND SKUNK CREEK AT  
16      SIOUX FALLS, SOUTH DAKOTA.—The project for  
17      flood control, Big Sioux River and Skunk Creek at  
18      Sioux Falls, South Dakota: Report of the Chief of  
19      Engineers, dated June 30, 1994, at a total cost of  
20      \$31,600,000, with an estimated Federal cost of  
21      \$23,600,000 and an estimated non-Federal cost of  
22      \$8,000,000.

23      (15) ATLANTIC INTRACOASTAL WATERWAY  
24      BRIDGE REPLACEMENT AT GREAT BRIDGE, CHESA-  
25      PEAKE, VIRGINIA.—The project for navigation at

1 Great Bridge, Virginia Highway 168, over the Atlan-  
2 tic Intracoastal Waterway in Chesapeake, Virginia:  
3 Report of the Chief of Engineers, dated July 1,  
4 1994, at a total cost of \$23,680,000, with an esti-  
5 mated Federal cost of \$20,341,000 and an esti-  
6 mated non-Federal cost of \$3,339,000. The city of  
7 Chesapeake shall assume full ownership of the re-  
8 placement bridge, including all associated operation,  
9 maintenance, repair, replacement, and rehabilitation  
10 costs.

11 (16) MARMET LOCK REPLACEMENT, KANAWHA  
12 RIVER, WEST VIRGINIA.—The project for navigation,  
13 Marmet Lock Replacement, Marmet Locks and  
14 Dam, Kanawha River, West Virginia: Report of the  
15 Chief of Engineers, dated June 24, 1994, at a total  
16 cost of \$267,900,000. The construction costs of the  
17 project shall be paid—

18 (A) 50 percent from amounts appropriated  
19 from the general fund of the Treasury; and

20 (B) 50 percent from amounts appropriated  
21 from the Inland Waterways Trust Fund estab-  
22 lished by section 9506 of the Internal Revenue  
23 Code of 1986.

1 **SEC. 102. PROJECT MODIFICATIONS.**

2       (a) OAKLAND HARBOR, CALIFORNIA.—The projects  
3 for navigation, Oakland Outer Harbor, California, and  
4 Oakland Inner Harbor, California, authorized by section  
5 202(a) of the Water Resources Development Act of 1986  
6 (Public Law 99–662; 100 Stat. 4092), are modified to  
7 combine the 2 projects into 1 project, to be designated  
8 as the Oakland Harbor, California, project. The Oakland  
9 Harbor, California, project shall be carried out by the Sec-  
10 retary substantially in accordance with the plans and sub-  
11 ject to the conditions recommended in the reports des-  
12 igned for the projects in the section, except that the non-  
13 Federal share of project cost and any available credits to-  
14 ward the non-Federal share shall be calculated on the  
15 basis of the total cost of the combined project. The total  
16 cost of the combined project is \$102,600,000, with an esti-  
17 mated Federal cost of \$64,120,000 and an estimated non-  
18 Federal cost of \$38,480,000.

19       (b) NORTH BRANCH OF CHICAGO RIVER, ILLI-  
20 NOIS.—The project for flood control for the North Branch  
21 of the Chicago River, Illinois, authorized by section 401(a)  
22 of the Water Resources Development Act of 1986 (Public  
23 Law 99–662; 100 Stat. 4115), is modified to authorize  
24 the Secretary to carry out the project substantially in ac-  
25 cordance with the post authorization change report for the  
26 project dated March 1994, at a total cost of \$34,800,000,

1 with an estimated Federal cost of \$20,774,000 and an es-  
2 timated non-Federal cost of \$14,026,000.

3 ~~(c) ARKANSAS CITY, KANSAS.—The project for flood~~  
4 ~~control, Arkansas City, Kansas, authorized by section~~  
5 ~~401(a) of the Water Resources Development Act of 1986~~  
6 ~~(Public Law 99–662; 100 Stat. 4116), is modified to au-~~  
7 ~~thorize the Secretary to construct the project substantially~~  
8 ~~in accordance with the post authorization change report~~  
9 ~~for the project dated June 1994, at a total cost of~~  
10 ~~\$35,700,000, with an estimated Federal cost of~~  
11 ~~\$26,600,000 and an estimated non-Federal cost of~~  
12 ~~\$9,100,000.~~

13 ~~(d) HALSTEAD, KANSAS.—The project for flood con-~~  
14 ~~trol, Halstead, Kansas, authorized by section 401(a) of the~~  
15 ~~Water Resources Development Act of 1986 (Public Law~~  
16 ~~99–662; 100 Stat. 4116), is modified to authorize the Sec-~~  
17 ~~retary to construct the project substantially in accordance~~  
18 ~~with the post authorization change report for the project~~  
19 ~~dated March 1993, at a total cost of \$11,100,000, with~~  
20 ~~an estimated Federal cost of \$8,325,000 and an estimated~~  
21 ~~non-Federal cost of \$2,775,000.~~

22 ~~(e) BAPTISTE COLLETTE BAYOU, LOUISIANA.—The~~  
23 ~~project for navigation, Mississippi River Outlets, Venice,~~  
24 ~~Louisiana, authorized by section 101 of the River and~~  
25 ~~Harbor Act of 1968 (Public Law 90–483; 82 Stat. 731),~~

1 is modified to provide for the extension of the 16-foot deep  
2 (mean low gulf) by 250-foot wide Baptiste Collette Bayou  
3 entrance channel to approximately mile 8 of the Mis-  
4 sissippi River Gulf Outlet navigation channel at a total  
5 estimated Federal cost of \$80,000, including \$4,000 for  
6 surveys and \$76,000 for Coast Guard aids to navigation.

7       (f) CAPE GIRARDEAU, MISSOURI.—The project for  
8 flood control, Cape Girardeau, Jackson Metropolitan Area,  
9 Missouri, authorized by section 401(a) of the Water Re-  
10 sources Development Act of 1986 (Public Law 99-662;  
11 100 Stat. 4118-4119), is modified to authorize the Sec-  
12 retary to carry out the project, including the implementa-  
13 tion of nonstructural measures, at a total cost of  
14 \$44,700,000, with an estimated Federal cost of  
15 \$32,600,000 and an estimated non-Federal cost of  
16 \$12,100,000.

17       (g) WILMINGTON HARBOR-NORTHEAST CAPE FEAR  
18 RIVER, NORTH CAROLINA.—The project for navigation,  
19 Wilmington Harbor-Northeast Cape Fear River, North  
20 Carolina, authorized by section 202(a) of the Water Re-  
21 sources Development Act of 1986 (Public Law 99-662;  
22 100 Stat. 4095) is modified to authorize the Secretary to  
23 construct the project substantially in accordance with the  
24 general design memorandum for the project dated April  
25 1990 and the general design memorandum supplement for

1 the project dated February 1994, at a total cost of  
2 \$50,921,000, with an estimated Federal cost of  
3 \$25,128,000 and an estimated non-Federal cost of  
4 \$25,793,000.

5 (h) SAW MILL RUN, PENNSYLVANIA.—The project  
6 for flood control, Saw Mill Run, Pittsburgh, Pennsylvania,  
7 authorized by section 401(a) of the Water Resources De-  
8 velopment Act of 1986 (Public Law 99-662; 100 Stat.  
9 4124), is modified to authorize the Secretary to carry out  
10 the project substantially in accordance with the post au-  
11 thorization change and general reevaluation report for the  
12 project, dated April 1994, at a total cost of \$12,496,000,  
13 with an estimated Federal cost of \$9,372,000 and an esti-  
14 mated non-Federal cost of \$3,124,000.

15 (i) INDIA POINT BRIDGE, SEEKONK RIVER, PROVI-  
16 DENCE, RHODE ISLAND.—The project for the removal and  
17 demolition of the India Point Railroad Bridge, Seekonk  
18 River, Rhode Island, authorized by section 1166(c) of the  
19 Water Resources Development Act of 1986 (Public Law  
20 99-662; 100 Stat. 4258), is modified to authorize the Sec-  
21 retary to demolish and remove the center span of the  
22 bridge, at a total cost of \$1,300,000, with an estimated  
23 Federal cost of \$650,000, and an estimated non-Federal  
24 cost of \$650,000.

1       (j) UPPER JORDAN RIVER, UTAH.—The project for  
 2 flood control, Upper Jordan River, Utah, authorized by  
 3 section 101(a)(23) of the Water Resources Development  
 4 Act of 1990 (Public Law 101–640; 104 Stat. 4610), is  
 5 modified to authorize the Secretary to carry out the  
 6 project substantially in accordance with the general design  
 7 memorandum for the project dated March 1994, and the  
 8 post authorization change report for the project dated  
 9 April 1994, at a total cost of \$12,370,000, with an esti-  
 10 mated Federal cost of \$8,220,000 and an estimated non-  
 11 Federal cost of \$4,150,000.

12 **SEC. 103. PROJECT DEAUTHORIZATIONS.**

13       (a) BRIDGEPORT HARBOR, CONNECTICUT.—

14           (1) ANCHORAGE AREA.—The portion of the  
 15 project for navigation, Bridgeport Harbor, Connecti-  
 16 cut, authorized by section 101 of the River and Har-  
 17 bor Act of 1958 (Public Law 85–500; 72 Stat. 297),  
 18 consisting of a 2-acre anchorage area with a depth  
 19 of 6 feet at the head of Johnsons River between the  
 20 Federal channel and Hollisters Dam, is deauthor-  
 21 ized.

22           (2) JOHNSONS RIVER CHANNEL.—The portion  
 23 of the project for navigation, Johnsons River Chan-  
 24 nel, Bridgeport Harbor, Connecticut, authorized by  
 25 the first section of the Act entitled “An Act author-

1        izing the construction, repair, and preservation of  
 2        certain public works on rivers and harbors, and for  
 3        other purposes"; approved July 24, 1946 (60 Stat.  
 4        634, chapter 595), that is northerly of a line across  
 5        the Federal channel the coordinates of which are  
 6        north 123318.35, east 486301.68, and north  
 7        123257.15, east 486380.77, is deauthorized.

8        (b) SOUTHPORT HARBOR, CONNECTICUT.—

9            (1) IN GENERAL.—The following portions of the  
 10        project for navigation, Southport Harbor, Connecti-  
 11        cut, authorized by the first section of the Act enti-  
 12        tled "An Act authorizing the construction, repair,  
 13        and preservation of certain public works on rivers  
 14        and harbors, and for other purposes", approved Au-  
 15        gust 30, 1935 (chapter 831, 49 Stat. 1029), are de-  
 16        authorized:

17            (A) The 6-foot deep anchorage located at  
 18        the head of the project.

19            (B) The portion of the 9-foot deep channel  
 20        beginning at a bend in the channel the coordi-  
 21        nates of which are north 109131.16, east  
 22        452653.32, running thence in a northeasterly  
 23        direction about 943.01 feet to a point the co-  
 24        ordinates of which are north 109635.22, east  
 25        453450.31, running thence in a southeasterly



1 direction about 22.66 feet to a point the coordi-  
 2 nates of which are north 109617.15, east  
 3 453463.98, running thence in a southwesterly  
 4 direction about 945.18 feet to the point of be-  
 5 ginning.

6 (2) REMAINDER.—The portion of the project  
 7 referred to in paragraph (1) that is remaining after  
 8 the deauthorization made by the paragraph and that  
 9 is northerly of a line the coordinates of which are  
 10 north 108699.15, east 452768.36, and north  
 11 108655.66, east 452858.73, is redesignated as an  
 12 anchorage.

13 (c) EAST BOOTHBAY HARBOR, MAINE.—The follow-  
 14 ing portion of the navigation project for East Boothbay  
 15 Harbor, Maine, authorized by the first section of the Act  
 16 of June 25, 1910 (36 Stat. 631, chapter 382) (commonly  
 17 referred to as the “River and Harbor Act of 1910”), con-  
 18 taining approximately 1.15 acres and described in accord-  
 19 ance with the Maine State Coordinate System, East Zone,  
 20 is deauthorized:

21 Beginning at a point noted as point number 6  
 22 and shown as having plan coordinates of North 9,  
 23 722, East 9, 909 on the plan entitled, “East  
 24 Boothbay Harbor, Maine, examination, 8-foot area”,  
 25 and dated August 9, 1955, Drawing Number F1251

1     ~~D-6-2~~, said point having Maine State Coordinate  
 2     System, East Zone coordinates of Northing 74514,  
 3     Easting 698381; and

4             Thence, North 58 degrees, 12 minutes, 30 sec-  
 5     onds East a distance of 120.9 feet to a point; and

6             Thence, South 72 degrees, 21 minutes, 50 sec-  
 7     onds East a distance of 106.2 feet to a point; and

8             Thence, South 32 degrees, 04 minutes, 55 sec-  
 9     onds East a distance of 218.9 feet to a point; and

10            Thence, South 61 degrees, 29 minutes, 40 sec-  
 11     onds West a distance of 148.9 feet to a point; and

12            Thence, North 35 degrees, 14 minutes, 12 sec-  
 13     onds West a distance of 87.5 feet to a point; and

14            Thence, North 78 degrees, 30 minutes, 58 sec-  
 15     onds West a distance of 68.4 feet to a point; and

16            Thence, North 27 degrees, 11 minutes, 39 sec-  
 17     onds West a distance of 157.3 feet to the point of  
 18     beginning.

19     ~~(d) FALL RIVER HARBOR, MASSACHUSETTS AND~~  
 20     ~~RHODE ISLAND.~~—The project for navigation, Fall River  
 21     Harbor, Massachusetts and Rhode Island, authorized by  
 22     section 101 of the River and Harbor Act of 1968 (Public  
 23     Law 90-483; 82 Stat. 731), is modified to provide that  
 24     alteration of the drawspan of the Brightman Street Bridge

1 to provide a channel width of 300 feet shall not be re-  
 2 quired after the date of enactment of this Act.

3 ~~(e) OSWEGATCHIE RIVER, OGDENSBURG, NEW~~  
 4 ~~YORK.—The portion of the Federal channel in the~~  
 5 ~~Oswegatchie River in Ogdensburg, New York, from the~~  
 6 ~~southernmost alignment of the Route 68 bridge, upstream~~  
 7 ~~to the northernmost alignment of the Lake Street bridge,~~  
 8 ~~is deauthorized.~~

9 ~~(f) KICKAPOO RIVER, WISCONSIN.—~~

10 ~~(1) PROJECT MODIFICATION.—The project for~~  
 11 ~~flood control and allied purposes, Kickapoo River,~~  
 12 ~~Wisconsin, authorized by section 203 of the Flood~~  
 13 ~~Control Act of 1962 (Public Law 87–874; 76 Stat.~~  
 14 ~~4190), as modified by section 814 of the Water Re-~~  
 15 ~~sources Development Act of 1986 (Public Law 99–~~  
 16 ~~662; 100 Stat. 4169), is further modified as pro-~~  
 17 ~~vided by this subsection.~~

18 ~~(2) TRANSFER OF PROPERTY.—~~

19 ~~(A) IN GENERAL.—Subject to the require-~~  
 20 ~~ments of this paragraph, the Secretary shall~~  
 21 ~~transfer to the State of Wisconsin, without con-~~  
 22 ~~sideration, all right, title, and interest of the~~  
 23 ~~United States in and to the lands described in~~  
 24 ~~subparagraph (B), including all works, struc-~~  
 25 ~~tures, and other improvements on the lands.~~

(B) LAND DESCRIPTION.—The lands to be transferred pursuant to subparagraph (A) are the approximately 8,569 acres of land associated with the LaFarge Dam and Lake portion of the project referred to in paragraph (1) in Vernon County, Wisconsin, in the following sections:

(i) Section 31, Township 14 North, Range 1 West of the 4th Principal Meridian.

(ii) Sections 2 through 11, and 16, 17, 20, and 21, Township 13 North, Range 2 West of the 4th Principal Meridian.

(iii) Sections 15, 16, 21 through 24, 26, 27, 31, and 33 through 36, Township 14 North, Range 2 West of the 4th Principal Meridian.

(C) TERMS AND CONDITIONS.—The transfer under subparagraph (A) shall be made on the condition that the State of Wisconsin enters into a written agreement with the Secretary to hold the United States harmless from all claims arising from or through the operation of the lands and improvements subject to the transfer.

1           (D) DEADLINES.—Not later than July 1,  
 2           1995, the Secretary shall transmit to the State  
 3           of Wisconsin an offer to make the transfer  
 4           under this paragraph. The offer shall provide  
 5           for the transfer to be made in the period begin-  
 6           ning on November 1, 1995, and ending on De-  
 7           cember 31, 1995.

8           (E) DEAUTHORIZATION.—The LaFarge  
 9           Dam and Lake portion of the project referred  
 10          to in paragraph (1) is not authorized after the  
 11          date of the transfer under this paragraph.

12          (F) INTERIM MANAGEMENT AND MAINTEN-  
 13          NANCE.—The Secretary shall continue to man-  
 14          age and maintain the LaFarge Dam and Lake  
 15          portion of project referred to in paragraph (1)  
 16          until the date of the transfer under this para-  
 17          graph.

18 **SEC. 104. STUDIES.**

19          (a) LAKE ELSINORE, RIVERSIDE COUNTY, CALIFOR-  
 20          NIA.—Not later than 18 months after the date of enact-  
 21          ment of this Act, the Secretary shall—

22               (1) conduct a study of the advisability of modi-  
 23               fying, for the purpose of flood control pursuant to  
 24               section 205 of the Flood Control Act of 1948 (33  
 25               U.S.C. 701s), the Lake Elsinore, Riverside County,

1 California, flood control project, for water conserva-  
2 tion storage up to an elevation of 1,249 feet above  
3 mean sea level; and

4 (2) report to Congress on the study, including  
5 making recommendations concerning the advisability  
6 of so modifying the project.

7 (b) LONG BEACH, CALIFORNIA.—The Secretary shall  
8 review the feasibility of navigation improvements at Long  
9 Beach Harbor, California, including widening and deepen-  
10 ing of the navigation channel, as provided for in section  
11 201(b) of the Water Resources Development Act of 1986  
12 (Public Law 99–662; 100 Stat. 4091). The Secretary shall  
13 complete the report not later than 1 year after the date  
14 of enactment of this Act.

15 (c) MURRIETA CREEK, RIVERSIDE COUNTY, CALI-  
16 FORNIA.—The Secretary shall review the completed fea-  
17 sibility study of the Riverside County Flood Control and  
18 Water Conservation District, including identified alter-  
19 natives, concerning Murrieta Creek from Temecula to  
20 Wildomar, Riverside County, California, to determine the  
21 Federal interest in participating in a project for flood con-  
22 trol.

23 (d) PINE FLAT DAM FISH AND WILDLIFE HABITAT  
24 RESTORATION, CALIFORNIA.—The Secretary shall study  
25 the feasibility of fish and wildlife habitat improvement

1 measures identified for further study by the Pine Flat  
2 Dam Fish and Wildlife Habitat Restoration Investigation  
3 Reconnaissance Report.

4       (e) WEST DADE, FLORIDA.—The Secretary shall con-  
5 duct a reconnaissance study to determine the Federal in-  
6 terest in using the West Dade, Florida, reuse facility to  
7 increase the supply of surface water to the Everglades in  
8 order to enhance fish and wildlife habitat.

9       (f) OHIO RIVER GREENWAY, INDIANA.—The Sec-  
10 retary shall conduct a study to determine the feasibility  
11 of the greenway project along the Ohio River in Jefferson-  
12 ville, Clarksville, and New Albany, Indiana, as described  
13 in the plan entitled “Conceptual Master Plan: Falls of the  
14 Ohio River Greenway Corridor”, as prepared by the Army  
15 Corps of Engineers in 1994.

16       (g) WHITE RIVER, INDIANA.—The Secretary shall  
17 conduct a study to determine the feasibility of riverfront  
18 modifications as described in the report entitled “Indian-  
19 apolis, Indiana, White River Central Waterfront Recon-  
20 naissance Report”, dated October 1993.

21       (h) BAYOU BLANC, CROWLEY, LOUISIANA.—The  
22 Secretary shall conduct a reconnaissance study to deter-  
23 mine the Federal interest in the construction of a bulk-  
24 head system, consisting of either steel sheet piling with  
25 tiebacks or concrete, along the embankment of Bayou

1 ~~Blanc, Crowley, Louisiana, in order to alleviate slope fail-~~  
2 ~~ures and erosion problems in a cost-effective manner.~~

3 ~~(i) HACKBERRY INDUSTRIAL SHIP CHANNEL PARK,~~  
4 ~~LOUISIANA.—The Secretary shall incorporate the area of~~  
5 ~~Hackberry, Louisiana, as part of the overall study of the~~  
6 ~~Lake Charles ship channel, bypass channel, and general~~  
7 ~~anchorage area in Louisiana, to explore the possibility of~~  
8 ~~constructing additional anchorage areas.~~

9 ~~(j) LOWER PLATTE RIVER, NEBRASKA.—The Sec-~~  
10 ~~retary shall conduct a reconnaissance study of the Lower~~  
11 ~~Platte River to determine the Federal interest in flood~~  
12 ~~control and related water resources development in the~~  
13 ~~study area. The Secretary shall consider nonstructural~~  
14 ~~and structural measures for the management of the flood-~~  
15 ~~plain.~~

16 ~~(k) CITY OF NORTH LAS VEGAS, CLARK COUNTY,~~  
17 ~~NEVADA.—The Secretary shall conduct a reconnaissance~~  
18 ~~study to determine the Federal interest in channel im-~~  
19 ~~provements in channel A of the North Las Vegas Wash~~  
20 ~~in the city of North Las Vegas, Nevada, for the purpose~~  
21 ~~of flood control.~~

22 ~~(l) LOWER LAS VEGAS WASH WETLANDS, CLARK~~  
23 ~~COUNTY, NEVADA.—The Secretary shall conduct a study~~  
24 ~~to determine the feasibility of the restoration of wetlands~~



1 in the Lower Las Vegas Wash, Nevada, for the purposes  
2 of erosion control and environmental restoration.

3 ~~(m) NORTHERN NEVADA.—The Secretary shall con-~~  
4 ~~duct reconnaissance studies, in the State of Nevada, of—~~

5 ~~(1) the Humboldt River, and the tributaries~~  
6 ~~and outlets of the river;~~

7 ~~(2) the Truckee River, and the tributaries and~~  
8 ~~outlets of the river;~~

9 ~~(3) the Carson River, and the tributaries and~~  
10 ~~outlets of the river; and~~

11 ~~(4) the Walker River, and the tributaries and~~  
12 ~~outlets of the river;~~

13 in order to determine the Federal interest in flood control,  
14 environmental restoration, conservation of fish and wild-  
15 life, recreation, water conservation, water quality, and  
16 toxic and radioactive waste.

17 ~~(n) BUFFALO HARBOR, NEW YORK.—The Secretary~~  
18 ~~shall determine the feasibility of excavating the inner har-~~  
19 ~~bor and constructing the associated bulkheads in Buffalo~~  
20 ~~Harbor, New York.~~

21 ~~(o) COEYMANS, NEW YORK.—The Secretary shall~~  
22 ~~conduct a reconnaissance study to determine the Federal~~  
23 ~~interest in reopening the secondary channel of the Hudson~~  
24 ~~River in the town of Coeymans, New York, which has been~~

1 narrowed by silt as a result of the construction of  
2 Coeymans middle dike by the Army Corps of Engineers.

3 ~~(p)~~ FLUSHING BAY, NEW YORK.—The Secretary  
4 shall determine the feasibility of dredging the area of  
5 Flushing Bay, New York, directly surrounding the earthen  
6 dike to—

7 (1) restore water depths to pre-1963 levels;

8 (2) improve the water quality;

9 (3) restore tidal patterns of the bay through the  
10 removal of mudflats; and

11 (4) partially remove a portion of the dike for  
12 use as fill for a runway extension at LaGuardia Air-  
13 port.

14 ~~(q)~~ SHINNECOCK INLET, NEW YORK.—Not later  
15 than 2 years after the date of enactment of this Act, the  
16 Secretary shall conduct a reconnaissance study in  
17 Shinnecock Inlet, New York, to determine the Federal in-  
18 terest in constructing a sand bypass system, or other ap-  
19 propriate alternative, for the purposes of allowing sand to  
20 flow in the natural east-to-west pattern of the sand and  
21 preventing the further erosion of the beaches west of the  
22 inlet and the shoaling of the inlet.

23 ~~(r)~~ KILL VAN KULL AND NEWARK BAY CHANNELS,  
24 NEW YORK AND NEW JERSEY.—The Secretary shall con-  
25 tinue engineering and design in order to complete the

1 navigation project at Kill Van Kull and Newark Bay  
 2 Channels, New York and New Jersey, authorized to be  
 3 constructed in the Supplemental Appropriations Act, 1985  
 4 (Public Law 99-88; 99 Stat. 313), and section 202(a) of  
 5 the Water Resources Development Act of 1986 (Public  
 6 Law 99-662; 100 Stat. 4095), described in the general  
 7 design memorandum for the project, and approved in the  
 8 Report of the Chief of Engineers dated December 14,  
 9 1981.

10       (s) COLUMBIA SLOUGH, OREGON.—Not later than 2  
 11 years after the date of enactment of this Act, the Sec-  
 12 retary shall complete a feasibility study for the ecosystem  
 13 restoration project at Columbia Slough, Oregon, as re-  
 14 ported in the August 1993 Revised Reconnaissance Study.  
 15 The study shall be a demonstration study done in coordi-  
 16 nation with the Environmental Protection Agency.

17       (t) DALLAS FLOODWAY EXTENSION, TEXAS.—

18           (1) STUDY.—The Secretary shall conduct a  
 19 study of the flood control project for Dallas  
 20 Floodway Extension, Dallas, Texas, authorized by  
 21 section 301 of the Flood Control Act of 1965 (Pub-  
 22 lic Law 89-298; 79 Stat. 1091), for the purpose of  
 23 determining the feasibility of providing additional  
 24 flood protection to the Central Wastewater Treat-  
 25 ment Plant and the area known as Rochester Park.

1           ~~(2) REPORT.~~—The results of the study con-  
 2           ducted under paragraph (1) shall be included in the  
 3           report presenting the results of the ongoing reevalu-  
 4           ation study of the authorized project.

5           ~~(u) ASHLEY CREEK, UTAH.~~—The Secretary is au-  
 6           thorized to study the feasibility of undertaking a project  
 7           for fish and wildlife restoration at Ashley Creek, near Ver-  
 8           nal, Utah.

## 9           **TITLE II—PROJECT-RELATED** 10           **PROVISIONS**

### 11   **SEC. 201. MORGAN POINT, ARKANSAS.**

12           The Secretary shall accept as in-kind contributions  
 13           for the project at Morgan Point, Arkansas—

14           ~~(1)~~ the items described as fish and wildlife fa-  
 15           cilities and land in the Morgan Point Broadway Clo-  
 16           sure Structure modification report for the project,  
 17           dated February 1994; and

18           ~~(2)~~ fish stocking activities carried out by the  
 19           non-Federal interests for the project.

### 20   **SEC. 202. WHITE RIVER BASIN LAKES, ARKANSAS AND MIS-** 21           **SOURI.**

22           The project for flood control and power generation  
 23           at White River Basin Lakes, Arkansas and Missouri, au-  
 24           thorized by section 4 of the Act entitled “An Act authoriz-  
 25           ing the construction of certain public works on rivers and

1 harbors for flood control, and for other purposes”, ap-  
 2 proved June 28, 1938 (commonly referred to as the  
 3 “Flood Control Act of 1938”) (52 Stat. 1218), shall in-  
 4 clude recreation and fish and wildlife mitigation as pur-  
 5 poses of the project, to the extent that the purposes do  
 6 not adversely impact flood control, power generation, or  
 7 other authorized purposes of the project.

8 **SEC. 203. PINE FLAT DAM FISH AND WILDLIFE HABITAT**  
 9 **RESTORATION, CALIFORNIA.**

10 The Secretary shall carry out, in accordance with sec-  
 11 tion 1135(b) of the Water Resources Development Act of  
 12 1986 (33 U.S.C. 2309a(b)), the construction of a turbine  
 13 bypass at Pine Flat Dam, Kings River, California.

14 **SEC. 204. CENTRAL AND SOUTHERN FLORIDA.**

15 The project for Central and Southern Florida, au-  
 16 thorized by section 203 of the Flood Control Act of 1968  
 17 (Public Law 90-483; 82 Stat. 740), is modified, subject  
 18 to the availability of appropriations, to authorize the Sec-  
 19 retary to implement the recommended plan of improve-  
 20 ment contained in a report entitled “Central and Southern  
 21 Florida Project, Final Integrated General Reevaluation  
 22 Report and Environmental Impact Statement, Canal 111  
 23 (C-111), South Dade County, Florida”, dated May 1994  
 24 (including acquisition of such portions of the Frog Pond  
 25 and Rocky Glades areas as are needed for the project),

1 at a total cost of \$121,000,000. The Federal share of the  
2 cost of implementing the plan of improvement shall be 50  
3 percent. The Secretary of the Interior shall pay 25 percent  
4 of the cost of acquiring such portions of the Frog Pond  
5 and Rocky Glades areas as are needed for the project,  
6 which amount shall be included in the Federal share. The  
7 non-Federal share of the operation and maintenance costs  
8 of the improvements undertaken pursuant to this section  
9 shall be 100 percent, except that the Federal Government  
10 shall reimburse the non-Federal interest in an amount  
11 equal to 60 percent of the costs of operating and maintain-  
12 ing pump stations that pump water into Taylor Slough  
13 in Everglades National Park.

14 **SEC. 205. WEST PALM BEACH, FLORIDA.**

15 The project for flood protection of West Palm Beach,  
16 Florida (C-51), authorized by section 203 of the Flood  
17 Control Act of 1962 (Public Law 87-874; 76 Stat. 1183),  
18 is modified to provide for the construction of an enlarged  
19 stormwater detention area, Storm Water Treatment Area  
20 1 East, generally in accordance with the plan of improve-  
21 ments described in the February 15, 1994, report entitled  
22 "Everglades Protection Project, Palm Beach County,  
23 Florida, Conceptual Design", prepared by Burns and  
24 McDonnell, and as further described in detailed design  
25 documents to be approved by the Secretary. The addi-

1 tional work authorized by this section shall be accom-  
 2 plished at full Federal cost in recognition of the water sup-  
 3 ply benefits accruing to the Loxahatchee National Wildlife  
 4 Refuge and the Everglades National Park and in recogni-  
 5 tion of the statement in support of the Everglades restora-  
 6 tion effort set forth in the document signed by the Sec-  
 7 retary of the Interior and the Secretary of the Army in  
 8 July 1993. Operation and maintenance of the stormwater  
 9 detention area shall be consistent with regulations pre-  
 10 scribed by the Secretary for the Central and Southern  
 11 Florida project, with all costs of the operation and mainte-  
 12 nance work borne by non-Federal interests.

13 **SEC. 206. PERIODIC MAINTENANCE DREDGING FOR GREEN-**  
 14 **VILLE INNER HARBOR CHANNEL, MIS-**  
 15 **SISSIPPI.**

16 The Greenville Inner Harbor Channel, Mississippi, is  
 17 deemed to be a portion of the navigable waters of the  
 18 United States, and shall be included among the navigable  
 19 waters for which the Army Corps of Engineers maintains  
 20 a 10-foot navigable channel. The navigable channel for the  
 21 Greenville Inner Harbor Channel shall be maintained in  
 22 a manner that is consistent with the navigable channel to  
 23 the Greenville Harbor and the portion of the Mississippi  
 24 River adjacent to the Greenville Harbor that is maintained

1 by the Army Corps of Engineers, as in existence on the  
2 date of enactment of this Act.

3 **SEC. 207. SARDIS LAKE, MISSISSIPPI.**

4 The Secretary shall work cooperatively with the State  
5 of Mississippi and the city of Sardis to the maximum ex-  
6 tent practicable in the management of existing and pro-  
7 posed leases of land consistent with the master tourism  
8 and recreational plan for the economic development of the  
9 Sardis Lake area prepared by the city.

10 **SEC. 208. LIBBY DAM, MONTANA.**

11 (a) IN GENERAL.—In accordance with section  
12 103(c)(1) of the Water Resources Development Act of  
13 1986 (33 U.S.C. 2213(c)(1)), the Secretary shall—

14 (1) complete the construction and installation of  
15 generating units 6 through 8 at Libby Dam, Mon-  
16 tana; and

17 (2) remove the partially constructed haul bridge  
18 over the Kootenai River, Montana.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
20 are authorized to be appropriated to carry out this section  
21 \$16,000,000, to remain available until expended.

22 **SEC. 209. SMALL FLOOD CONTROL PROJECT, MALTA, MON-**  
23 **TANA.**

24 Not later than 1 year after the date of enactment  
25 of this Act, the Secretary is authorized to expend such



1 Federal funds as are necessary to complete the small flood  
 2 control project begun at Malta, Montana, pursuant to sec-  
 3 tion 205 of the Flood Control Act of 1948 (33 U.S.C.  
 4 701s).

5 **SEC. 210. CLIFFWOOD BEACH, NEW JERSEY.**

6 (a) ~~IN GENERAL.~~—Notwithstanding any other provi-  
 7 sion of law or the status of the project authorized by sec-  
 8 tion 203 of the Flood Control Act of 1962 (Public Law  
 9 87-874; 76 Stat. 1180) for hurricane-flood protection and  
 10 beach erosion control on Raritan Bay and Sandy Hook  
 11 Bay, New Jersey, the Secretary shall undertake a project  
 12 to provide periodic beach nourishment for Cliffwood  
 13 Beach, New Jersey, for a 50-year period beginning on the  
 14 date of execution of a project cooperation agreement by  
 15 the Secretary and an appropriate non-Federal interest.

16 (b) ~~NON-FEDERAL SHARE.~~—The non-Federal share  
 17 of the cost of the project authorized by this section shall  
 18 be 35 percent.

19 **SEC. 211. FIRE ISLAND INLET, NEW YORK.**

20 For the purpose of replenishing the beach, the Sec-  
 21 retary shall place sand dredged from the Fire Island Inlet  
 22 on the shoreline between Gilgo State Park and Tobay  
 23 Beach to protect Ocean Parkway along the Atlantic Ocean  
 24 shoreline in Suffolk County, New York.

1 **SEC. 212. WISTER LAKE PROJECT, LEFLORE COUNTY,**  
 2 **OKLAHOMA.**

3 The Secretary shall maintain a minimum conserva-  
 4 tion pool level of 478 feet at the Wister Lake project in  
 5 LeFlore County, Oklahoma, authorized by section 4 of the  
 6 Act entitled "An Act authorizing the construction of cer-  
 7 tain public works on rivers and harbors for flood control,  
 8 and for other purposes", approved June 28, 1938 (com-  
 9 monly referred to as the "Flood Control Act of 1938")  
 10 (52 Stat. 1218). Notwithstanding title I of the Water Re-  
 11 sources Development Act of 1986 (33 U.S.C. 2211 et seq.)  
 12 or any other provision of law, any increase in water supply  
 13 yield that results from the pool level of 478 feet shall be  
 14 treated as unallocated water supply until such time as a  
 15 user enters into a contract for the supply under such ap-  
 16 plicable laws concerning cost-sharing as are in effect on  
 17 the date of the contract.

18 **SEC. 213. ABANDONED AND WRECKED BARGE REMOVAL,**  
 19 **RHODE ISLAND.**

20 Section 361 of the Water Resources Development Act  
 21 of 1992 (Public Law 102-580; 106 Stat. 4861) is amend-  
 22 ed by striking subsection (a) and inserting the following:  
 23 "(a) IN GENERAL.—In order to alleviate a hazard to  
 24 navigation and recreational activity, the Secretary shall re-  
 25 move a sunken barge from waters off the shore of the Nar-  
 26 ragansett Town Beach in Narragansett, Rhode Island, at

1 a total cost of \$1,700,000, with an estimated Federal cost  
 2 of \$1,275,000, and an estimated non-Federal cost of  
 3 \$425,000. The Secretary shall not remove the barge until  
 4 title to the barge has been transferred to the United  
 5 States or the non-Federal interest. The transfer of title  
 6 shall be carried out at no cost to the United States.''.  
 7

8 **SEC. 214. PROVIDENCE RIVER AND HARBOR, RHODE IS-**  
 9 **LAND.**

10 The Secretary shall incorporate a channel extending  
 11 from the vicinity of the Fox Point hurricane barrier to  
 12 the vicinity of the Francis Street bridge in Providence,  
 13 Rhode Island, into the navigation project for Providence  
 14 River and Harbor, Rhode Island, authorized by section  
 15 301 of the River and Harbor Act of 1965 (Public Law  
 16 89-298; 79 Stat. 1089). The channel shall have a depth  
 17 of up to 10 feet and a width of approximately 120 feet  
 18 and shall be approximately 1.25 miles in length.

19 **SEC. 215. RUDEE INLET, VIRGINIA BEACH, VIRGINIA.**

20 Notwithstanding the limitation set forth in section  
 21 107(b) of the River and Harbor Act of 1960 (33 U.S.C.  
 22 577(b)), Federal participation in the maintenance of the  
 23 Rudee Inlet, Virginia Beach, Virginia, project shall con-  
 24 tinue for the life of the project. Nothing in this section  
 shall alter or modify the non-Federal cost sharing respon-

1 sibility as specified in the Rudee Inlet, Virginia Beach,  
 2 Virginia Detailed Project Report, dated October 1983.

3 **SEC. 216. VIRGINIA BEACH, VIRGINIA.**

4 Section 407 of the Water Resources Development Act  
 5 of 1990 (Public Law 101-640; 104 Stat. 4647) is amend-  
 6 ed by adding at the end the following:

7 “(c) FUNDING.—

8 “(1) IN GENERAL.—The Secretary shall budget,  
 9 for fiscal year 1996, \$3,120,803, or such amount as  
 10 is determined by a Federal audit carried out by the  
 11 Army Corps of Engineers, to be paid to the city of  
 12 Virginia Beach as reimbursement for beach nourish-  
 13 ment activities undertaken by the city from October  
 14 1, 1986, to September 30, 1993, pursuant to sub-  
 15 section (a). The funds required to be budgeted under  
 16 the preceding sentence may not be used to carry out  
 17 the beach nourishment project being performed, as  
 18 of the date of enactment of this paragraph, pursuant  
 19 to the local cooperative agreement dated August 9,  
 20 1993.

21 “(2) FAILURE TO PAY.—If the Secretary does  
 22 not make the payment described in paragraph (1) by  
 23 February 6, 1997, the Secretary shall pay to the city  
 24 of Virginia Beach \$3,120,803, or such amount as is

1 determined by the Federal audit referred to in para-  
 2 graph (1).”.

### 3 **TITLE III—GENERAL** 4 **PROVISIONS**

#### 5 **SEC. 301. COST-SHARING FOR ENVIRONMENTAL PROJECTS.**

6 Section 103(c) of the Water Resources Development  
 7 Act of 1986 (33 U.S.C. 2213(c)) is amended—

8 (1) in paragraph (5), by striking “and” at the  
 9 end;

10 (2) in paragraph (6), by striking the period at  
 11 the end and inserting “; and”; and

12 (3) by adding at the end the following:

13 “(7) environmental protection and restoration:  
 14 25 percent.”.

#### 15 **SEC. 302. COLLABORATIVE RESEARCH AND DEVELOPMENT.**

16 Section 7 of the Water Resources Development Act  
 17 of 1988 (33 U.S.C. 2313) is amended—

18 (1) by striking subsection (e);

19 (2) by redesignating subsection (d) as sub-  
 20 section (e); and

21 (3) by inserting after subsection (c) the follow-  
 22 ing:

23 “(d) TEMPORARY PROTECTION OF TECHNOLOGY.—

24 “(1) PRE-AGREEMENT.—If the Secretary deter-  
 25 mines that information developed as a result of a re-

1 search or development activity conducted by the  
2 Army Corps of Engineers is likely to be subject to  
3 a cooperative research and development agreement  
4 within 2 years after the development of the informa-  
5 tion, and that the information would be a trade se-  
6 cret or commercial or financial information that  
7 would be privileged or confidential if the information  
8 had been obtained from a non-Federal party partici-  
9 pating in a cooperative research and development  
10 agreement under section 12 of the Stevenson-Wydler  
11 Technology Innovation Act of 1980 (15 U.S.C.  
12 3710a), the Secretary may provide appropriate pro-  
13 tections against the dissemination of the informa-  
14 tion, including exemption from subchapter II of  
15 chapter 5 of title 5, United States Code, until the  
16 earlier of—

17 “(A) the date on which the Secretary en-  
18 ters into such an agreement with respect to the  
19 information; or

20 “(B) the last day of the 2-year period be-  
21 ginning on the date of the determination.

22 “(2) POST-AGREEMENT.—Any information sub-  
23 ject to paragraph (1) that becomes the subject of a  
24 cooperative research and development agreement  
25 shall be subject to the protections provided under

1       section 12(c)(7)(B) of the Act (15 U.S.C.  
 2       3710a(c)(7)(B)) as if the information had been de-  
 3       veloped under a cooperative research and develop-  
 4       ment agreement.”.

5   **SEC. 303. NATIONAL INVENTORY OF DAMS.**

6       Section 13 of Public Law 92—367 (33 U.S.C. 467)  
 7   is amended by striking the second sentence and inserting  
 8   the following: “There are authorized to be appropriated  
 9   to carry out this section \$500,000 for each fiscal year.”.

10   **SEC. 304. HYDROELECTRIC POWER PROJECT UPRATING.**

11       (a) IN GENERAL.—In carrying out the maintenance,  
 12   rehabilitation, and modernization of a hydroelectric power  
 13   generating facility at a water resources project under the  
 14   jurisdiction of the Department of the Army, the Secretary  
 15   is authorized to take such actions as are necessary to in-  
 16   crease the efficiency of energy production or the capacity  
 17   of the facility, or both, if, after consulting with the heads  
 18   of other appropriate Federal and State agencies, the Sec-  
 19   retary determines that the increase—

20               (1) is economically justified and financially fea-  
 21       sible;

22               (2) will not result in any significant adverse ef-  
 23       fect on the other purposes for which the project is  
 24       authorized;

1           ~~(3) will not result in significant adverse envi-~~  
 2           ~~ronmental impacts; and~~

3           ~~(4) will not involve major structural or oper-~~  
 4           ~~ational changes in the project.~~

5           ~~(b) EFFECT ON OTHER AUTHORITY.—This section~~  
 6           ~~shall not affect the authority of the Secretary and the Ad-~~  
 7           ~~ministrator of the Bonneville Power Administration under~~  
 8           ~~section 2406 of the Energy Policy Act of 1992 (16 U.S.C.~~  
 9           ~~839d-1).~~

10   **SEC. 305. FEDERAL LUMP-SUM PAYMENTS FOR FEDERAL**  
 11           **OPERATION AND MAINTENANCE COSTS.**

12           ~~(a) IN GENERAL.—In the case of a water resources~~  
 13           ~~project under the jurisdiction of the Department of the~~  
 14           ~~Army for which the non-Federal interests are responsible~~  
 15           ~~for performing the operation, maintenance, replacement,~~  
 16           ~~and rehabilitation of the project, or a separable element~~  
 17           ~~(as defined in section 103(f) of the Water Resources De-~~  
 18           ~~velopment Act of 1986 (33 U.S.C. 2213(f)) of the project,~~  
 19           ~~and for which the Federal Government is responsible for~~  
 20           ~~paying a portion of the operation, maintenance, replace-~~  
 21           ~~ment, and rehabilitation costs of the project or separable~~  
 22           ~~element, the Secretary may make, in accordance with this~~  
 23           ~~section and under terms and conditions acceptable to the~~  
 24           ~~Secretary, a payment of the estimated total Federal share~~



1 of the costs to the non-Federal interests after completion  
 2 of construction of the project or separable element.

3 ~~(b) AMOUNT OF PAYMENT.~~—The amount that may  
 4 be paid by the Secretary under subsection (a) shall be  
 5 equal to the present value of the Federal payments over  
 6 the life of the project, as estimated by the Federal Govern-  
 7 ment, and shall be computed using an interest rate deter-  
 8 mined by the Secretary of the Treasury taking into consid-  
 9 eration current market yields on outstanding marketable  
 10 obligations of the United States with maturities com-  
 11 parable to the remaining life of the project.

12 ~~(c) AGREEMENT.~~—The Secretary may make a pay-  
 13 ment under this section only if the non-Federal interests  
 14 have entered into a binding agreement with the Secretary  
 15 to perform the operation, maintenance, replacement, and  
 16 rehabilitation of the project or separable element. The  
 17 agreement shall—

18 ~~(1)~~ meet the requirements of section 221 of the  
 19 Flood Control Act of 1970 (42 U.S.C. 1962d–5b);  
 20 and

21 ~~(2)~~ specify—

22 ~~(A)~~ the terms and conditions under which  
 23 a payment may be made under this section; and

24 ~~(B)~~ the rights of, and remedies available  
 25 to, the Federal Government to recover all or a

1           portion of a payment made under this section  
2           if a non-Federal interest suspends or terminates  
3           the performance by the non-Federal interest of  
4           the operation, maintenance, replacement, and  
5           rehabilitation of the project or separable ele-  
6           ment, or fails to perform the activities in a  
7           manner that is satisfactory to the Secretary.

8           (d) EFFECT OF PAYMENT.—Except as provided in  
9           subsection (c), a payment provided to the non-Federal in-  
10          terests under this section shall relieve the Federal Govern-  
11          ment of any obligation, after the date of the payment, to  
12          pay any of the operation, maintenance, replacement, or re-  
13          habilitation costs for the project or separable element.

14       **SEC. 306. COST-SHARING FOR REMOVAL OF EXISTING**  
15               **PROJECT FEATURES.**

16          After the date of enactment of this Act, any proposal  
17          submitted to Congress by the Secretary for modification  
18          of an existing authorized water resources development  
19          project (in existence on the date of the proposal) by re-  
20          moval of one or more of the project features that would  
21          significantly and adversely impact the authorized project  
22          purposes or outputs shall include the recommendation that  
23          the non-Federal interests shall provide 50 percent of the  
24          cost of any such modification, including the cost of acquir-

1 ing any additional interests in lands that become nec-  
 2 essary for accomplishing the modification.

3 **SEC. 307. TERMINATION OF TECHNICAL ADVISORY COM-**  
 4 **MITTEE.**

5 Section 310 of the Water Resources Development Act  
 6 of 1990 (33 U.S.C. 2319) is amended—

7 (1) by striking subsection (a); and

8 (2) in subsection (b)—

9 (A) by striking “(b) PUBLIC PARTICIPA-  
 10 TION.—”; and

11 (B) by striking “subsection” each place it  
 12 appears and inserting “section”.

13 **SEC. 308. CONDITIONS FOR PROJECT DEAUTHORIZATIONS.**

14 (a) IN GENERAL.—Section 1001(b)(2) of the Water  
 15 Resources Development Act of 1986 (33 U.S.C.  
 16 579a(b)(2)) is amended—

17 (1) in the first sentence, by striking “10” and  
 18 inserting “5”;

19 (2) in the second sentence, by striking “Before”  
 20 and inserting “Upon official”; and

21 (3) in the last sentence, by inserting “the plan-  
 22 ning, design, or” before “construction”.

23 (b) CONFORMING AMENDMENTS.—Section 52 of the  
 24 Water Resources Development Act of 1988 (Public Law  
 25 100–676; 102 Stat. 4044) is amended—

1           (1) by striking subsection (a) (33 U.S.C. 579a  
2       note);

3           (2) by redesignating subsections (b) through (e)  
4       as subsections (a) through (d), respectively; and

5           (3) in subsection (d) (as so redesignated), by  
6       striking “or subsection (a) of this section”.

7       **SEC. 309. PARTICIPATION IN INTERNATIONAL ENGINEER-**  
8                               **ING AND SCIENTIFIC CONFERENCES.**

9       Section 211 of the Flood Control Act of 1950 (33  
10   U.S.C. 701u) is repealed.

11       **SEC. 310. RESEARCH AND DEVELOPMENT IN SUPPORT OF**  
12                               **ARMY CIVIL WORKS PROGRAM.**

13       (a) **IN GENERAL.**—In carrying out research and de-  
14   velopment in support of the civil works program of the  
15   Department of the Army, the Secretary may utilize con-  
16   tracts, cooperative research and development agreements,  
17   and cooperative agreements with, and grants to, non-Fed-  
18   eral entities, including State and local governments, col-  
19   leges and universities, consortia, professional and tech-  
20   nical societies, public and private scientific and technical  
21   foundations, research institutions, educational organiza-  
22   tions, and nonprofit organizations.

23       (b) **COMMERCIAL APPLICATION.**—In the case of a  
24   contract for research or development, or both, the Sec-  
25   retary may—

- 1           (1) require that the research or development, or  
2       both, have potential commercial application; and  
3           (2) use the potential for commercial application  
4       as an evaluation factor, if appropriate.

5 **SEC. 311. INTERAGENCY AND INTERNATIONAL SUPPORT**  
6 **AUTHORITY.**

7       (a) ~~IN GENERAL.~~—The Secretary may engage in ac-  
8       tivities in support of other Federal agencies or inter-  
9       national organizations to address problems of national sig-  
10      nificance to the United States. The Secretary may engage  
11      in activities in support of international organizations only  
12      after consulting with the Secretary of State. The Secretary  
13      may use the technical and managerial expertise of the  
14      Army Corps of Engineers to address domestic and inter-  
15      national problems related to water resources, infrastruc-  
16      ture development, and environmental protection.

17      (b) ~~FUNDING.~~—There are authorized to be appro-  
18      priated \$1,000,000 to carry out this section. The Sec-  
19      retary may accept and expend additional funds from other  
20      Federal agencies or international organizations to carry  
21      this section.

22 **SEC. 312. EXPANSION OF SECTION 1135 PROGRAM.**

23       Section 1135 of the Water Resources Development  
24      Act of 1986 (33 U.S.C. 2309a) is amended—

1           (1) in subsection (a), by inserting before the pe-  
 2           riod at the end the following: “and to determine if  
 3           the operation of the projects has contributed to the  
 4           degradation of the quality of the environment”;

5           (2) in subsection (b), by striking the last two  
 6           sentences;

7           (3) by redesignating subsections (c), (d), and  
 8           (e) as subsections (e), (f), and (g), respectively; and

9           (4) by inserting after subsection (b) the follow-  
 10          ing new subsections:

11          “(c) MEASURES TO RESTORE ENVIRONMENTAL  
 12          QUALITY.—If the Secretary determines under subsection  
 13          (a) that operation of a water resources project has contrib-  
 14          uted to the degradation of the quality of the environment,  
 15          the Secretary may carry out, with respect to the project,  
 16          measures for the restoration of environmental quality, if  
 17          the measures are feasible and consistent with the author-  
 18          ized purposes of the project.

19          “(d) FUNDING.—The non-Federal share of the cost  
 20          of any modification or measure carried out pursuant to  
 21          subsection (b) or (c) shall be 25 percent. Not more than  
 22          \$5,000,000 in Federal funds may be expended on any 1  
 23          such modification or measure.”.

1 **SEC. 313. ENVIRONMENTAL DREDGING.**

2 Section 312 of the Water Resources Development Act  
3 of 1990 (Public Law 101-640; 33 U.S.C. 1252 note) is  
4 amended by striking subsection (f).

5 **SEC. 314. FEASIBILITY STUDIES.**

6 (a) ~~NON-FEDERAL SHARE.~~—Section 105(a)(1) of the  
7 Water Resources Development Act of 1986 (33 U.S.C.  
8 2215(a)(1)) is amended—

9 (1) in the first sentence, by striking “during  
10 the period of such study”;

11 (2) by inserting after the first sentence the fol-  
12 lowing: “During the period of the study, the non-  
13 Federal share of the cost of the study shall be not  
14 more than 50 percent of the estimate of the cost of  
15 the study as contained in the feasibility cost sharing  
16 agreement. The cost estimate may be amended only  
17 by mutual agreement of the Secretary and the non-  
18 Federal interests. The non-Federal share of any  
19 costs in excess of the cost estimate shall, except as  
20 otherwise mutually agreed by the Secretary and the  
21 non-Federal interests, be payable after the project  
22 has been authorized for construction and on the date  
23 on which the Secretary and non-Federal interests  
24 enter into an agreement pursuant to section 101(e)  
25 or 103(j).”; and

1           (3) in the last sentence, by striking “such non-  
 2       Federal contribution” and inserting “the non-Fed-  
 3       eral share required under this paragraph”.

4       (b) **APPLICABILITY.**—The amendments made by sub-  
 5       section (a) shall apply notwithstanding any feasibility cost  
 6       sharing agreement entered into by the Secretary and non-  
 7       Federal interests, and the Secretary shall amend any fea-  
 8       sibility cost sharing agreements in effect on the date of  
 9       enactment of this Act so as to conform the agreements  
 10      with the amendments. Nothing in this section or any  
 11      amendment made by this section shall require the Sec-  
 12      retary to reimburse the non-Federal interests for funds  
 13      previously contributed for a study.

14      **SEC. 315. OBSTRUCTION REMOVAL REQUIREMENT.**

15      (a) **PENALTY.**—Section 16 of the Act entitled “An  
 16      Act making appropriations for the construction, repair,  
 17      and preservation of certain public works on rivers and har-  
 18      bors, and for other purposes”, approved March 3, 1899  
 19      (commonly referred to as the “River and Harbor Act of  
 20      1899”) (33 U.S.C. 411), is amended—

21           (1) by striking “sections thirteen, fourteen, and  
 22       fifteen” and inserting “section 13, 14, 15, 19, or  
 23       20”; and

24           (2) by striking “not exceeding twenty-five hun-  
 25       dred dollars nor less than five hundred dollars” and



1 inserting “of not more than \$25,000 for each day  
2 that the violation continues”.

3 ~~(b) GENERAL AUTHORITY.~~—Section 20 of the Act  
4 ~~(33 U.S.C. 415)~~ is amended—

5 (1) in subsection (a)—

6 (A) by striking “Under emergency” and  
7 inserting “SUMMARY REMOVAL PROCE-  
8 DURES.—Under emergency”; and

9 (B) by striking “expense” the first place it  
10 appears and inserting “actual expense, includ-  
11 ing administrative expenses,”;

12 ~~(2)~~ in subsection ~~(b)~~—

13 (A) by striking “cost” and inserting “ac-  
14 tual cost, including administrative costs,”; and

15 (B) by striking “(b) The” and inserting  
16 “(c) LIABILITY OF OWNER, LESSEE, OR OPER-  
17 ATOR.—The”; and

18 ~~(3)~~ by inserting after subsection ~~(a)~~ the follow-  
19 ing:

20 “~~(b) REMOVAL REQUIREMENT.~~—Not later than 24  
21 hours after the Secretary of the Department in which the  
22 Coast Guard is operating issues an order to stop or delay  
23 navigation in any navigable waters of the United States  
24 because of conditions related to the sinking or grounding  
25 of a vessel, the owner or operator of the vessel, with the

1 approval of the Secretary of the Army, shall begin removal  
 2 of the vessel using the most expeditious removal method  
 3 available or, if appropriate, secure the vessel pending re-  
 4 moval to allow navigation to resume. If the owner or oper-  
 5 ator fails to begin removal or to secure the vessel pending  
 6 removal in accordance with the preceding sentence or fails  
 7 to complete removal as soon as possible, the Secretary of  
 8 the Army shall remove or destroy the vessel using the sum-  
 9 mary removal procedures under subsection (a).’.

10 **SEC. 316. LEVEE OWNERS MANUAL.**

11 Section 5 of the Act entitled “An Act authorizing the  
 12 construction of certain public works on rivers and harbors  
 13 for flood control, and for other purposes”, approved Au-  
 14 gust 18, 1941 (33 U.S.C. 701n), is amended by adding  
 15 at the end the following:

16 “(c) LEVEE OWNERS MANUAL.—

17 “(1) IN GENERAL.—Not later than 1 year after  
 18 the date of enactment of this subsection, in accord-  
 19 ance with chapter 5 of title 5, United States Code,  
 20 the Secretary shall prepare a manual describing the  
 21 maintenance and upkeep responsibilities that the  
 22 Army Corps of Engineers requires of a non-Federal  
 23 interest in order for the non-Federal interest to re-  
 24 ceive Federal assistance under this section. The Sec-  
 25 retary shall provide a copy of the manual at no cost

1 to each non-Federal interest that is eligible to re-  
 2 ceive Federal assistance under this section.

3 ~~“(2) PROHIBITION ON DELEGATION.—The~~  
 4 preparation of the manual shall be carried out under  
 5 the personal direction of the Secretary.

6 ~~“(3) AUTHORIZATION OF APPROPRIATIONS.—~~  
 7 There are authorized to be appropriated \$1,000,000  
 8 to carry out this subsection.

9 ~~“(4) DEFINITIONS.—In this subsection:~~

10 ~~“(A) MAINTENANCE AND UPKEEP.—The~~  
 11 term ‘maintenance and upkeep’ means all main-  
 12 tenance and general upkeep of a levee per-  
 13 formed on a regular and consistent basis that  
 14 is not repair and rehabilitation.

15 ~~“(B) REPAIR AND REHABILITATION.—The~~  
 16 term ‘repair and rehabilitation’—

17 ~~“(i) except as provided in clause (ii),~~  
 18 means the repair or rebuilding of a levee or  
 19 other flood control structure, after the  
 20 structure has been damaged by a flood, to  
 21 the level of protection provided by the  
 22 structure before the flood; and

23 ~~“(ii) does not include—~~

24 ~~“(I) any improvement to the~~  
 25 structure; or

1                   “(H) repair or rebuilding de-  
 2                   scribed in clause (i) if, in the normal  
 3                   course of usage, the structure becomes  
 4                   structurally unsound and is no longer  
 5                   fit to provide the level of protection  
 6                   for which the structure was designed.

7                   “(C) SECRETARY.—The term ‘Secretary’  
 8                   means the Secretary of the Army.”.

9   **SEC. 317. RISK-BASED ANALYSIS METHODOLOGY.**

10       (a) IN GENERAL.—Not later than 1 year after the  
 11       date of enactment of this Act, the Secretary shall obtain  
 12       the services of an independent consultant to evaluate—

13               (1) the relationship between—

14                   (A) the Risk-Based Analysis for Evalua-  
 15                   tion of Hydrology/Hydraulics and Economics in  
 16                   Flood Damage Reduction Studies established in  
 17                   an Army Corps of Engineers engineering cir-  
 18                   cular; and

19                   (B) minimum engineering and safety  
 20                   standards;

21               (2) the validity of results generated by the stud-  
 22       ies described in paragraph (1); and

23               (3) policy impacts related to change in the stud-  
 24       ies described in paragraph (1).

25       (b) TASK FORCE.—

1           (1) IN GENERAL.—In carrying out the inde-  
2           pendent evaluation under subsection (a), the Sec-  
3           retary, not later than 90 days after the date of en-  
4           actment of this Act, shall establish a task force to  
5           oversee and review the analysis.

6           (2) MEMBERSHIP.—The task force shall consist  
7           of—

8                   (A) the Assistant Secretary of the Army  
9                   having responsibility for civil works, who shall  
10                  serve as chairperson of the task force;

11                  (B) the Administrator of the Federal  
12                  Emergency Management Agency;

13                  (C) the Chief of the Natural Resources  
14                  Conservation Service of the Department of Ag-  
15                  riculture;

16                  (D) a State representative appointed by  
17                  the Secretary from among individuals rec-  
18                  ommended by the Association of State Flood-  
19                  plain Managers;

20                  (E) a local government public works offi-  
21                  cial appointed by the Secretary from among in-  
22                  dividuals recommended by a national organiza-  
23                  tion representing public works officials; and

24                  (F) an individual from the private sector,  
25                  who shall be appointed by the Secretary.

1           ~~(3) COMPENSATION.—~~

2                   ~~(A) IN GENERAL.—Except as provided in~~  
3           ~~subparagraph (B), a member of the task force~~  
4           ~~shall serve without compensation.~~

5                   ~~(B) EXPENSES.—Each member of the task~~  
6           ~~force shall be allowed—~~

7                           ~~(i) travel expenses, including per diem~~  
8                           ~~in lieu of subsistence, at rates authorized~~  
9                           ~~for employees of agencies under subchapter~~  
10                          ~~I of chapter 57 of title 5, United States~~  
11                          ~~Code, while away from the home or regular~~  
12                          ~~place of business of the member in the per-~~  
13                          ~~formance of services for the task force; and~~

14                           ~~(ii) other expenses incurred in the~~  
15                           ~~performance of services for the task force,~~  
16                          ~~as determined by the Secretary.~~

17           ~~(4) TERMINATION.—The task force shall termi-~~  
18           ~~nate 2 years after the date of enactment of this Act.~~

19           ~~(c) LIMITATION ON USE OF METHODOLOGY.—Dur-~~  
20           ~~ing the period beginning on the date of enactment of this~~  
21           ~~Act and ending 2 years after that date, if requested by~~  
22           ~~a non-Federal interest, the Secretary shall refrain from~~  
23           ~~using any risk-based technique required under the studies~~  
24           ~~described in subsection (a) for the evaluation and design~~  
25           ~~of a project carried out in cooperation with the non-Fed-~~

1 eral interest unless the Secretary, in consultation with the  
 2 task force, has provided direction for use of the technique  
 3 after consideration of the independent evaluation required  
 4 under subsection (a).

5 ~~(d) AUTHORIZATION OF APPROPRIATIONS.—~~There  
 6 are authorized to be appropriated \$500,000 to carry out  
 7 this section.

8 **SEC. 318. SEDIMENTS DECONTAMINATION TECHNOLOGY.**

9 Section 405 of the Water Resources Development Act  
 10 of 1992 (Public Law 102–580; 33 U.S.C. 2239 note) is  
 11 amended—

12 (1) in subsection (a)—

13 (A) in paragraph (2), by adding at the end  
 14 the following: “The goal of the program shall be  
 15 to make possible the development, on a pilot  
 16 scale, of 1 or more sediment decontamination  
 17 technologies, each of which demonstrates a sedi-  
 18 ment decontamination capacity of at least 400  
 19 cubic yards per day.”; and

20 (B) by adding at the end the following:

21 “(3) ~~REPORT TO CONGRESS.—~~Not later than  
 22 September 30, 1996, and September 30 of each year  
 23 thereafter, the Administrator and the Secretary shall  
 24 report to Congress on progress made toward the  
 25 goal described in paragraph (2).”; and

1           (2) in subsection (c)—

2                   (A) by striking “\$5,000,000” and inserting  
3           “\$10,000,000”; and

4                   (B) by striking “1992” and inserting  
5           “1995”.

6 **SEC. 319. MELALEUCA TREE.**

7           Section 104(a) of the River and Harbor Act of 1958  
8   (33 U.S.C. 610(a)) is amended by inserting “melaleuca  
9   tree,” after “milfoil.”

10 **SEC. 320. FAULKNER ISLAND, CONNECTICUT.**

11           In consultation with the Director of the United States  
12   Fish and Wildlife Service, the Secretary shall design and  
13   construct shoreline protection measures for the coastline  
14   adjacent to the Faulkner Island Lighthouse, Connecticut,  
15   at a total cost of \$3,300,000.

16 **SEC. 321. DESIGNATION OF LOCK AND DAM AT THE RED**  
17 **RIVER WATERWAY, LOUISIANA.**

18           (a) DESIGNATION.—Lock and Dam numbered 4 of  
19   the Red River Waterway, Louisiana, is designated as the  
20   “Russell B. Long Lock and Dam”.

21           (b) LEGAL REFERENCES.—A reference in any law,  
22   regulation, document, map, record, or other paper of the  
23   United States to the lock and dam referred to in sub-  
24   section (a) shall be deemed to be a reference to the “Rus-  
25   sell B. Long Lock and Dam”.



1 **SEC. 322. JENNINGS RANDOLPH ACCESS ROAD, GARRETT**  
 2 **COUNTY, MARYLAND.**

3 The Secretary shall transfer up to \$600,000 from the  
 4 funds appropriated for the Jennings Randolph Lake,  
 5 Maryland and West Virginia, project to the State of Mary-  
 6 land for use by the State in constructing an access road  
 7 to the William Jennings Randolph Lake in Garrett Coun-  
 8 ty, Maryland.

9 **SEC. 323. NEW YORK STATE CANAL SYSTEM.**

10 (a) ~~IN GENERAL.~~—In order to make capital improve-  
 11 ments to the New York State canal system, the Secretary,  
 12 with the consent of appropriate local and State entities,  
 13 shall enter into such arrangements, contracts, and leases  
 14 with public and private entities as may be necessary for  
 15 the purposes of rehabilitation, renovation, preservation,  
 16 and maintenance of the New York State canal system and  
 17 related facilities, including trailside facilities and other  
 18 recreational projects along the waterways referred to in  
 19 subsection (c).

20 (b) ~~FEDERAL SHARE.~~—The Federal share of the cost  
 21 of capital improvements under this section shall be 50 per-  
 22 cent. The total cost is \$14,000,000, with an estimated  
 23 Federal cost of \$7,000,000 and an estimated non-Federal  
 24 cost of \$7,000,000.

25 (c) ~~DEFINITION OF NEW YORK STATE CANAL SYS-~~  
 26 ~~TEM.~~—In this section, the term “New York State canal

1 system” means the Erie, Oswego, Champlain, and Ca-  
 2 yuga-Seneca Canals in New York.

3 **SEC. 324. QUONSET POINT-DAVISVILLE, RHODE ISLAND.**

4 The Secretary shall replace the bulkhead between  
 5 piers 1 and 2 at the Quonset Point-Davisville Industrial  
 6 Park, Rhode Island, at a total cost of \$1,350,000. The  
 7 estimated Federal share of the project cost is \$1,012,500,  
 8 and the estimated non-Federal share of the project cost  
 9 is \$337,500. In conjunction with this project, the Sec-  
 10 retary shall install high mast lighting at pier 2 at a total  
 11 cost of \$300,000, with an estimated Federal cost of  
 12 \$225,000 and an estimated non-Federal cost of \$75,000.

13 **SEC. 325. CAPITAL IMPROVEMENTS FOR THE WASHINGTON**  
 14 **AQUEDUCT.**

15 (a) AUTHORIZATIONS.—

16 (1) AUTHORIZATION OF MODERNIZATION.—

17 Subject to approval in, and in such amounts as may  
 18 be provided in appropriations Acts, the Chief of En-  
 19 gineers of the Army Corps of Engineers is author-  
 20 ized to modernize the Washington Aqueduct.

21 (2) AUTHORIZATION OF APPROPRIATIONS.—

22 There is authorized to be appropriated to the Army  
 23 Corps of Engineers borrowing authority in amounts  
 24 sufficient to cover the full costs of modernizing the  
 25 Washington Aqueduct. The borrowing authority

1 shall be provided by the Secretary of the Treasury,  
 2 under such terms and conditions as are established  
 3 by the Secretary of the Treasury, after a series of  
 4 contracts with each public water supply customer  
 5 has been entered into under subsection (b).

6 ~~(b) CONTRACTS WITH PUBLIC WATER SUPPLY CUS-~~  
 7 ~~TOMERS.—~~

8 (1) ~~CONTRACTS TO REPAY CORPS DEBT.—~~To  
 9 the extent provided in appropriations Acts, and in  
 10 accordance with paragraphs (2) and (3), the Chief  
 11 of Engineers of the Army Corps of Engineers is au-  
 12 thorized to enter into a series of contracts with each  
 13 public water supply customer under which the cus-  
 14 tomer commits to repay a pro-rata share of the prin-  
 15 cipal and interest owed by the Army Corps of Engi-  
 16 neers to the Secretary of the Treasury under sub-  
 17 section (a). Under each of the contracts, the cus-  
 18 tomer that enters into the contract shall commit to  
 19 pay any additional amount necessary to fully offset  
 20 the risk of default on the contract.

21 (2) ~~OFFSETTING OF RISK OF DEFAULT.—~~Each  
 22 contract under paragraph (1) shall include such ad-  
 23 ditional terms and conditions as the Secretary of the  
 24 Treasury may require so that the value to the Gov-  
 25 ernment of the contracts is estimated to be equal to

1 the obligational authority used by the Army Corps  
 2 of Engineers for modernizing the Washington Aque-  
 3 duct at the time that each series of contracts is en-  
 4 tered into.

5 (3) OTHER CONDITIONS.—Each contract en-  
 6 tered into under paragraph (1) shall—

7 (A) provide that the public water supply  
 8 customer pledges future income from fees as-  
 9 sessed to operate and maintain the Washington  
 10 Aqueduct;

11 (B) provide the United States priority over  
 12 all other creditors; and

13 (C) include other conditions that the Sec-  
 14 retary of the Treasury determines to be appro-  
 15 priate.

16 (c) BORROWING AUTHORITY.—Subject to an appro-  
 17 priation under subsection (a)(2) and after entering into  
 18 a series of contracts under subsection (b), the Secretary,  
 19 acting through the Chief of Engineers of the Army Corps  
 20 of Engineers, shall seek borrowing authority from the Sec-  
 21 retary of the Treasury under subsection (a)(2).

22 (d) DEFINITIONS.—In this section:

23 (1) PUBLIC WATER SUPPLY CUSTOMER.—The  
 24 term “public water supply customer” means the Dis-

1       trict of Columbia, the county of Arlington, Virginia,  
2       and the city of Falls Church, Virginia.

3           ~~(2) VALUE TO THE GOVERNMENT.~~—The term  
4       “value to the Government” means the net present  
5       value of a contract under subsection ~~(b)~~ calculated  
6       under the rules set forth in subparagraphs ~~(A)~~ and  
7       ~~(B)~~ of section 502(5) of the Congressional Budget  
8       Act of 1974 (~~2~~ U.S.C. 661a(5)), excluding section  
9       502(5)(B)(i) of the Act, as though the contracts pro-  
10      vided for the repayment of direct loans to the public  
11      water supply customers.

12          ~~(3) WASHINGTON AQUEDUCT.~~—The term  
13      “Washington Aqueduct” means the water supply  
14      system of treatment plans, raw water intakes, con-  
15      duits, reservoirs, transmission mains, and pumping  
16      stations owned by the Federal Government located  
17      in the metropolitan Washington, District of Colum-  
18      bia, area.

19   **SEC. 326. CHESAPEAKE BAY ENVIRONMENTAL RESTORA-**  
20                   **TION AND PROTECTION PROGRAM.**

21      ~~(a) ESTABLISHMENT.~~—

22          ~~(1) IN GENERAL.~~—The Secretary shall establish  
23      a pilot program to provide environmental assistance  
24      to non-Federal interests in the Chesapeake Bay wa-  
25      tershed.

1           (2) FORM.—The assistance shall be in the form  
2           of design and construction assistance for water-relat-  
3           ed environmental infrastructure and resource protec-  
4           tion and development projects affecting the Ches-  
5           apeake Bay estuary, including projects for sediment  
6           and erosion control, protection of eroding shorelines,  
7           protection of essential public works, wastewater  
8           treatment and related facilities, water supply and re-  
9           lated facilities, and beneficial uses of dredged mate-  
10          rial, and other related projects that may enhance the  
11          living resources of the estuary.

12          (b) PUBLIC OWNERSHIP REQUIREMENT.—The Sec-  
13          retary may provide assistance for a project under this sec-  
14          tion only if the project is publicly owned, and will be pub-  
15          licly operated and maintained.

16          (c) LOCAL COOPERATION AGREEMENT.—

17                (1) IN GENERAL.—Before providing assistance  
18                under this section, the Secretary shall enter into a  
19                local cooperation agreement with a non-Federal in-  
20                terest to provide for design and construction of the  
21                project to be carried out with the assistance.

22                (2) REQUIREMENTS.—Each local cooperation  
23                agreement entered into under this subsection shall  
24                provide for—

1           (A) the development by the Secretary, in  
 2           consultation with appropriate Federal, State,  
 3           and local officials, of a facilities or resource  
 4           protection and development plan, including ap-  
 5           propriate engineering plans and specifications  
 6           and an estimate of expected resource benefits;  
 7           and

8           (B) the establishment of such legal and in-  
 9           stitutional structures as are necessary to ensure  
 10          the effective long-term operation and mainte-  
 11          nance of the project by the non-Federal inter-  
 12          est.

13       ~~(d) COST SHARING.—~~

14           (1) ~~FEDERAL SHARE.—~~Except as provided in  
 15           paragraph ~~(2)(B)~~, the Federal share of the total  
 16           project costs of each local cooperation agreement en-  
 17           tered into under this section shall be 75 percent.

18           ~~(2) NON-FEDERAL SHARE.—~~

19           (A) ~~VALUE OF LANDS, EASEMENTS,~~  
 20           ~~RIGHTS-OF-WAY, AND RELOCATIONS.—~~In deter-  
 21           mining the non-Federal contribution toward  
 22           carrying out a local cooperation agreement en-  
 23           tered into under this section, the Secretary  
 24           shall provide credit to a non-Federal interest  
 25           for the value of lands, easements, rights-of-way,

1 and relocations provided by the non-Federal in-  
 2 terest, except that the amount of credit pro-  
 3 vided for a project under this paragraph may  
 4 not exceed 25 percent of the total project costs.

5 (B) OPERATION AND MAINTENANCE  
 6 COSTS.—The non-Federal share of the costs of  
 7 operation and maintenance of carrying out the  
 8 agreement under this section shall be 100 per-  
 9 cent.

10 (e) APPLICABILITY OF OTHER FEDERAL AND STATE  
 11 LAWS AND AGREEMENTS.—

12 (1) IN GENERAL.—Nothing in this section  
 13 waives, limits, or otherwise affects the applicability  
 14 of any provision of Federal or State law that would  
 15 otherwise apply to a project carried out with assist-  
 16 ance provided under this section.

17 (2) COOPERATION.—In carrying out this sec-  
 18 tion, the Secretary shall cooperate fully with the  
 19 heads of appropriate Federal agencies, including—

20 (A) the Administrator of the Environ-  
 21 mental Protection Agency;

22 (B) the Secretary of Commerce, acting  
 23 through the Administrator of the National Oce-  
 24 anic and Atmospheric Administration;



1           (C) the Secretary of the Interior, acting  
 2           through the Director of the United States Fish  
 3           and Wildlife Service; and

4           (D) the heads of such other Federal agen-  
 5           cies and agencies of a State or political subdivi-  
 6           sion of a State as the Secretary determines to  
 7           be appropriate.

8           (f) DEMONSTRATION PROJECT.—The Secretary shall  
 9           establish at least 1 project under this section in each of  
 10          the States of Maryland, Virginia, and Pennsylvania. A  
 11          project established under this section shall be carried out  
 12          using such measures as are necessary to protect environ-  
 13          mental, historic, and cultural resources.

14          (g) REPORT.—Not later than December 31, 1998,  
 15          the Secretary shall transmit to Congress a report on the  
 16          results of the program carried out under this section, to-  
 17          gether with a recommendation concerning whether or not  
 18          the program should be implemented on a national basis.

19          (h) AUTHORIZATION OF APPROPRIATIONS.—There  
 20          are authorized to be appropriated to carry out this section  
 21          \$30,000,000 for fiscal year 1996, to remain available until  
 22          expended.

23   **SEC. 327. TECHNICAL CORRECTIONS.**

24          (a) CONTRIBUTIONS FOR ENVIRONMENTAL AND  
 25          RECREATION PROJECTS.—Section 203(b) of the Water

1 Resources Development Act of 1992 (33 U.S.C. 2325(b))  
 2 is amended by striking “(8662)” and inserting “(8862)”.

3 ~~(b) CHALLENGE COST-SHARING PROGRAM.—The~~  
 4 second sentence of section 225(c) of the Act (33 U.S.C.  
 5 2328(c)) is amended by striking “(8662)” and inserting  
 6 “(8862)”.

7 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

8 (a) *SHORT TITLE.*—This Act may be cited as the  
 9 “Water Resources Development Act of 1995”.

10 (b) *TABLE OF CONTENTS.*—The table of contents of this  
 11 Act is as follows:

*Sec. 1. Short title; table of contents.*

*Sec. 2. Definition of Secretary.*

*TITLE I—WATER RESOURCES PROJECTS*

*Sec. 101. Project authorizations.*

*Sec. 102. Project modifications.*

*Sec. 103. Project deauthorizations.*

*Sec. 104. Studies.*

*TITLE II—PROJECT-RELATED PROVISIONS*

*Sec. 201. Heber Springs, Arkansas.*

*Sec. 202. Morgan Point, Arkansas.*

*Sec. 203. White River Basin Lakes, Arkansas and Missouri.*

*Sec. 204. Central and southern Florida.*

*Sec. 205. West Palm Beach, Florida.*

*Sec. 206. Periodic maintenance dredging for Greenville Inner Harbor Channel,  
 Mississippi.*

*Sec. 207. Sardis Lake, Mississippi.*

*Sec. 208. Libby Dam, Montana.*

*Sec. 209. Small flood control project, Malta, Montana.*

*Sec. 210. Cliffwood Beach, New Jersey.*

*Sec. 211. Fire Island Inlet, New York.*

*Sec. 212. Buford Trenton Irrigation District, North Dakota and Montana.*

*Sec. 213. Wister Lake project, LeFlore County, Oklahoma.*

*Sec. 214. Willamette River, McKenzie Subbasin, Oregon.*

*Sec. 215. Abandoned and wrecked barge removal, Rhode Island.*

*Sec. 216. Providence River and Harbor, Rhode Island.*

*Sec. 217. Cooper Lake and Channels, Texas.*

*Sec. 218. Rudee Inlet, Virginia Beach, Virginia.*

*Sec. 219. Virginia Beach, Virginia.*

## TITLE III—GENERAL PROVISIONS

- Sec. 301. Cost-sharing for environmental projects.*
- Sec. 302. Collaborative research and development.*
- Sec. 303. National inventory of dams.*
- Sec. 304. Hydroelectric power project uprating.*
- Sec. 305. Federal lump-sum payments for Federal operation and maintenance costs.*
- Sec. 306. Cost-sharing for removal of existing project features.*
- Sec. 307. Termination of technical advisory committee.*
- Sec. 308. Conditions for project deauthorizations.*
- Sec. 309. Participation in international engineering and scientific conferences.*
- Sec. 310. Research and development in support of Army civil works program.*
- Sec. 311. Interagency and international support authority.*
- Sec. 312. Section 1135 program.*
- Sec. 313. Environmental dredging.*
- Sec. 314. Feasibility studies.*
- Sec. 315. Obstruction removal requirement.*
- Sec. 316. Levee owners manual.*
- Sec. 317. Risk-based analysis methodology.*
- Sec. 318. Sediments decontamination technology.*
- Sec. 319. Melaleuca tree.*
- Sec. 320. Faulkner Island, Connecticut.*
- Sec. 321. Designation of lock and dam at the Red River Waterway, Louisiana.*
- Sec. 322. Jurisdiction of Mississippi River Commission, Louisiana.*
- Sec. 323. William Jennings Randolph access road, Garrett County, Maryland.*
- Sec. 324. Arkabutla Dam and Lake, Mississippi.*
- Sec. 325. New York State canal system.*
- Sec. 326. Quonset Point-Davisville, Rhode Island.*
- Sec. 327. Clouter Creek disposal area, Charleston, South Carolina.*
- Sec. 328. Nuisance aquatic vegetation in Lake Gaston, Virginia and North Carolina.*
- Sec. 329. Capital improvements for the Washington Aqueduct.*
- Sec. 330. Chesapeake Bay environmental restoration and protection program.*
- Sec. 331. Research and development program to improve salmon survival.*
- Sec. 332. Recreational user fees.*
- Sec. 333. Shoreline erosion control demonstration.*
- Sec. 334. Technical corrections.*

1 **SEC. 2. DEFINITION OF SECRETARY.**

2       In this Act, the term “Secretary” means the Secretary  
 3 of the Army.

4       **TITLE I—WATER RESOURCES**  
 5       **PROJECTS**

6 **SEC. 101. PROJECT AUTHORIZATIONS.**

7       Except as otherwise provided in this section, the fol-  
 8 lowing projects for water resources development and con-

1 *servation and other purposes are authorized to be carried*  
2 *out by the Secretary substantially in accordance with the*  
3 *plans, and subject to the conditions, recommended in the*  
4 *respective reports designated in this section:*

5           (1) *MARIN COUNTY SHORELINE, SAN RAFAEL*  
6 *CANAL, CALIFORNIA.—The project for hurricane and*  
7 *storm damage reduction, Marin County Shoreline,*  
8 *San Rafael Canal, California: Report of the Chief of*  
9 *Engineers, dated January 28, 1994, at a total cost of*  
10 *\$27,200,000, with an estimated Federal cost of*  
11 *\$17,700,000 and an estimated non-Federal cost of*  
12 *\$9,500,000.*

13           (2) *SAN LORENZO RIVER, CALIFORNIA.—The*  
14 *project for flood control, San Lorenzo River, Califor-*  
15 *nia: Report of the Chief of Engineers, dated June 30,*  
16 *1994, at a total cost of \$16,100,000, with an esti-*  
17 *mated Federal cost of \$8,100,000 and an estimated*  
18 *non-Federal cost of \$8,000,000 and the habitat res-*  
19 *toration, at a total cost of \$4,050,000, with an esti-*  
20 *mated Federal cost of \$3,040,000 and an estimated*  
21 *non-Federal cost of \$1,010,000.*

22           (3) *SANTA BARBARA HARBOR, SANTA BARBARA*  
23 *COUNTY, CALIFORNIA.—The project for navigation,*  
24 *Santa Barbara Harbor, Santa Barbara, California:*  
25 *Report of the Chief of Engineers, dated April 26,*

1     1994, at a total cost of \$5,720,000, with an estimated  
 2     Federal cost of \$4,580,000 and an estimated non-Fed-  
 3     eral cost of \$1,140,000.

4           (4) *PALM VALLEY BRIDGE REPLACEMENT, ST.*  
 5     *JOHNS COUNTY, FLORIDA.*—The project for naviga-  
 6     tion, Palm Valley Bridge, County Road 210, over the  
 7     Atlantic Intracoastal Waterway in St. Johns County,  
 8     Florida: Report of the Chief of Engineers, dated June  
 9     24, 1994, at a total Federal cost of \$15,312,000. As  
 10    a condition of receipt of Federal funds, St. Johns  
 11    County shall assume full ownership of the replace-  
 12    ment bridge, including all associated operation,  
 13    maintenance, repair, replacement, and rehabilitation  
 14    costs.

15           (5) *ILLINOIS SHORELINE EROSION, INTERIM III,*  
 16     *WILMETTE TO ILLINOIS AND INDIANA STATE LINE.*—  
 17     The project for storm damage reduction and shoreline  
 18     erosion protection from Wilmette, Illinois, to the Illi-  
 19     nois and Indiana State line: Report of the Chief of  
 20     Engineers, dated April 14, 1994, at a total cost of  
 21     \$204,000,000, with an estimated Federal cost of  
 22     \$110,000,000 and an estimated non-Federal cost of  
 23     \$94,000,000, and the breakwater near the South  
 24     Water Filtration Plant, a separable element of the  
 25     project at a total cost of \$8,539,000, with an esti-

1     *mated Federal cost of \$5,550,000 and an estimated*  
 2     *non-Federal cost of \$2,989,000. The operation, main-*  
 3     *tenance, repair, replacement, and rehabilitation of the*  
 4     *project after construction shall be the responsibility of*  
 5     *the non-Federal interests.*

6             (6) *KENTUCKY LOCK ADDITION, KENTUCKY.—The*  
 7     *project for navigation, Kentucky Lock Addition, Ken-*  
 8     *tucky: Report of the Chief of Engineers, dated June*  
 9     *1, 1992, at a total cost of \$467,000,000. The construc-*  
 10    *tion costs of the project shall be paid—*

11                 (A) *50 percent from amounts appropriated*  
 12                 *from the general fund of the Treasury; and*

13                 (B) *50 percent from amounts appropriated*  
 14                 *from the Inland Waterways Trust Fund estab-*  
 15                 *lished by section 9506 of the Internal Revenue*  
 16                 *Code of 1986.*

17             (7) *WOLF CREEK HYDROPOWER, CUMBERLAND*  
 18     *RIVER, KENTUCKY.—The project for hydropower, Wolf*  
 19     *Creek Dam and Lake Cumberland, Kentucky: Report*  
 20     *of the Chief of Engineers, dated June 28, 1994, at a*  
 21     *total cost of \$50,230,000. Funds derived by the Ten-*  
 22     *nessee Valley Authority from the power program of*  
 23     *the Authority and funds derived from any private or*  
 24     *public entity designated by the Southeastern Power*

1     *Administration may be used for all or part of any*  
 2     *cost-sharing requirements for the project.*

3             (8) *PORT FOURCHON, LOUISIANA.—The project*  
 4     *for navigation, Port Fourchon, Louisiana: Report of*  
 5     *the Chief of Engineers, dated April 7, 1995, at a total*  
 6     *cost of \$2,812,000, with an estimated Federal cost of*  
 7     *\$2,211,000 and an estimated non-Federal cost of*  
 8     *\$601,000.*

9             (9) *WEST BANK HURRICANE PROTECTION LEVEE,*  
 10    *JEFFERSON PARISH, LOUISIANA.—The West Bank*  
 11    *Hurricane Protection Levee, Jefferson Parish, Louisi-*  
 12    *ana project, authorized by section 401(b) of the Water*  
 13    *Resources Development Act of 1986 (Public Law 99–*  
 14    *662; 100 Stat. 4128), is modified to authorize the Sec-*  
 15    *retary to extend protection to areas east of the Harvey*  
 16    *Canal, including an area east of the Algiers Canal:*  
 17    *Report of the Chief of Engineers, dated May 1, 1995,*  
 18    *at a total cost of \$217,000,000, with an estimated*  
 19    *Federal cost of \$141,400,000 and an estimated non-*  
 20    *Federal cost of \$75,600,000.*

21            (10) *STABILIZATION OF NATCHEZ BLUFFS, MIS-*  
 22    *SISSIPPI.—The project for bluff stabilization, Natchez*  
 23    *Bluffs, Natchez, Mississippi: Natchez Bluffs Study,*  
 24    *dated September 1985, Natchez Bluffs Study: Supple-*  
 25    *ment I, dated June 1990, and Natchez Bluffs Study:*

1     *Supplement II, dated December 1993, in the portions*  
 2     *of the bluffs described in the reports designated in this*  
 3     *paragraph as Clifton Avenue, area 3; Bluff above Sil-*  
 4     *ver Street, area 6; Bluff above Natchez Under-the-*  
 5     *Hill, area 7; and Madison Street to State Street, area*  
 6     *4, at a total cost of \$17,200,000, with an estimated*  
 7     *Federal cost of \$12,900,000 and an estimated non-*  
 8     *Federal cost of \$4,300,000.*

9             (11) *WOOD RIVER AT GRAND ISLAND, NE-*  
 10     *BRASKA.—The project for flood control, Wood River at*  
 11     *Grand Island, Nebraska: Report of the Chief of Engi-*  
 12     *neers, dated May 3, 1994, at a total cost of*  
 13     *\$10,500,000, with an estimated Federal cost of*  
 14     *\$5,250,000 and an estimated non-Federal cost of*  
 15     *\$5,250,000.*

16            (12) *WILMINGTON HARBOR, CAPE FEAR-NORTH-*  
 17     *EAST CAPE FEAR RIVERS, NORTH CAROLINA.—The*  
 18     *project for navigation, Wilmington Harbor, Cape*  
 19     *Fear-Northeast Cape Fear Rivers, North Carolina:*  
 20     *Report of the Chief of Engineers, dated June 24,*  
 21     *1994, at a total cost of \$23,290,000, with an esti-*  
 22     *mated Federal cost of \$16,955,000 and an estimated*  
 23     *non-Federal cost of \$6,335,000.*

24            (13) *DUCK CREEK, OHIO.—The project for flood*  
 25     *control, Duck Creek, Cincinnati, Ohio: Report of the*



1     *Chief of Engineers, dated June 28, 1994, at a total*  
2     *cost of \$15,408,000, with an estimated Federal cost of*  
3     *\$11,556,000 and an estimated non-Federal cost of*  
4     *\$3,852,000.*

5             (14) *POND CREEK, OHIO.—The project for flood*  
6     *control, Pond Creek, Ohio: Report of the Chief of En-*  
7     *gineers, dated June 28, 1994, at a total cost of*  
8     *\$16,865,000, with an estimated Federal cost of*  
9     *\$11,243,000 and an estimated non-Federal cost of*  
10    *\$5,622,000.*

11            (15) *COOS BAY, OREGON.—The project for navi-*  
12    *gation, Coos Bay, Oregon: Report of the Chief of En-*  
13    *gineers, dated June 30, 1994, at a total cost of*  
14    *\$14,541,000, with an estimated Federal cost of*  
15    *\$10,777,000 and an estimated non-Federal cost of*  
16    *\$3,764,000.*

17            (16) *BIG SIOUX RIVER AND SKUNK CREEK AT*  
18    *SIOUX FALLS, SOUTH DAKOTA.—The project for flood*  
19    *control, Big Sioux River and Skunk Creek at Sioux*  
20    *Falls, South Dakota: Report of the Chief of Engineers,*  
21    *dated June 30, 1994, at a total cost of \$31,600,000,*  
22    *with an estimated Federal cost of \$23,600,000 and an*  
23    *estimated non-Federal cost of \$8,000,000.*

24            (17) *ATLANTIC INTRACOASTAL WATERWAY*  
25    *BRIDGE REPLACEMENT AT GREAT BRIDGE, CHESA-*

1     PEAKE, VIRGINIA.—*The project for navigation at*  
 2     *Great Bridge, Virginia Highway 168, over the Atlan-*  
 3     *tic Intracoastal Waterway in Chesapeake, Virginia:*  
 4     *Report of the Chief of Engineers, dated July 1, 1994,*  
 5     *at a total cost of \$23,680,000, with an estimated Fed-*  
 6     *eral cost of \$20,341,000 and an estimated non-Fed-*  
 7     *eral cost of \$3,339,000. The city of Chesapeake shall*  
 8     *assume full ownership of the replacement bridge, in-*  
 9     *cluding all associated operation, maintenance, repair,*  
 10    *replacement, and rehabilitation costs.*

11           (18) MARMET LOCK REPLACEMENT, KANAWHA  
 12     RIVER, WEST VIRGINIA.—*The project for navigation,*  
 13     *Marmet Lock Replacement, Marmet Locks and Dam,*  
 14     *Kanawha River, West Virginia: Report of the Chief of*  
 15     *Engineers, dated June 24, 1994, at a total cost of*  
 16     *\$257,900,000. The construction costs of the project*  
 17     *shall be paid—*

18                   (A) 50 percent from amounts appropriated  
 19                   *from the general fund of the Treasury; and*

20                   (B) 50 percent from amounts appropriated  
 21                   *from the Inland Waterways Trust Fund estab-*  
 22                   *lished by section 9506 of the Internal Revenue*  
 23                   *Code of 1986.*

1 **SEC. 102. PROJECT MODIFICATIONS.**

2       (a) *OAKLAND HARBOR, CALIFORNIA.*—The projects for  
 3 navigation, Oakland Outer Harbor, California, and Oak-  
 4 land Inner Harbor, California, authorized by section  
 5 202(a) of the Water Resources Development Act of 1986  
 6 (Public Law 99–662; 100 Stat. 4092), are modified to com-  
 7 bine the 2 projects into 1 project, to be designated as the  
 8 Oakland Harbor, California, project. The Oakland Harbor,  
 9 California, project shall be carried out by the Secretary sub-  
 10 stantially in accordance with the plans and subject to the  
 11 conditions recommended in the reports designated for the  
 12 projects in the section, except that the non-Federal share  
 13 of project cost and any available credits toward the non-  
 14 Federal share shall be calculated on the basis of the total  
 15 cost of the combined project. The total cost of the combined  
 16 project is \$102,600,000, with an estimated Federal cost of  
 17 \$64,120,000 and an estimated non-Federal cost of  
 18 \$38,480,000.

19       (b) *BROWARD COUNTY, FLORIDA.*—

20       (1) *IN GENERAL.*—The Secretary shall provide  
 21 periodic beach nourishment for the Broward County,  
 22 Florida, Hillsborough Inlet to Port Everglades (Seg-  
 23 ment II), shore protection project, authorized by sec-  
 24 tion 301 of the River and Harbor Act of 1965 (Public  
 25 Law 89–298; 79 Stat. 1090), through the year 2020.  
 26 The beach nourishment shall be carried out in accord-

1        *ance with the recommendations of the section 934*  
2        *study and reevaluation report for the project carried*  
3        *out under section 156 of the Water Resources Develop-*  
4        *ment Act of 1976 (42 U.S.C. 1962d–5f) and approved*  
5        *by the Chief of Engineers by memorandum dated*  
6        *June 9, 1995.*

7            (2) *COSTS.—The total cost of the activities re-*  
8        *quired under this subsection shall not exceed*  
9        *\$15,457,000, of which the Federal share shall not ex-*  
10       *ceed \$9,846,000.*

11        (c) *CANAVERAL HARBOR, FLORIDA.—The project for*  
12       *navigation, Canaveral Harbor, Florida, authorized by sec-*  
13       *tion 101(7) of the Water Resources Development Act of 1992*  
14       *(Public Law 102–580; 106 Stat. 4802), is modified to au-*  
15       *thorize the Secretary to reclassify the removal and replace-*  
16       *ment of stone protection on both sides of the channel as gen-*  
17       *eral navigation features of the project subject to cost sharing*  
18       *in accordance with section 101(a) of the Water Resources*  
19       *Development Act of 1986 (33 U.S.C. 2211(a)). The Sec-*  
20       *retary may reimburse the non-Federal interests for such*  
21       *costs incurred by the non-Federal interests in connection*  
22       *with the removal and replacement as the Secretary deter-*  
23       *mines are in excess of the non-Federal share of the costs*  
24       *of the project required under the section.*

1       (d) *FORT PIERCE, FLORIDA.*—*The Secretary shall pro-*  
2 *vide periodic beach nourishment for the Fort Pierce beach*  
3 *erosion control project, St. Lucie County, Florida, author-*  
4 *ized by section 301 of the River and Harbor Act of 1965*  
5 *(Public Law 89–298; 79 Stat. 1092), through the year 2020.*

6       (e) *NORTH BRANCH OF CHICAGO RIVER, ILLINOIS.*—  
7 *The project for flood control for the North Branch of the*  
8 *Chicago River, Illinois, authorized by section 401(a) of the*  
9 *Water Resources Development Act of 1986 (Public Law 99–*  
10 *662; 100 Stat. 4115), is modified to authorize the Secretary*  
11 *to carry out the project substantially in accordance with*  
12 *the post authorization change report for the project dated*  
13 *March 1994, at a total cost of \$34,800,000, with an esti-*  
14 *mated Federal cost of \$20,774,000 and an estimated non-*  
15 *Federal cost of \$14,026,000.*

16       (f) *ARKANSAS CITY, KANSAS.*—*The project for flood*  
17 *control, Arkansas City, Kansas, authorized by section*  
18 *401(a) of the Water Resources Development Act of 1986*  
19 *(Public Law 99–662; 100 Stat. 4116), is modified to au-*  
20 *thorize the Secretary to construct the project substantially*  
21 *in accordance with the post authorization change report for*  
22 *the project dated June 1994, at a total cost of \$35,700,000,*  
23 *with an estimated Federal cost of \$26,600,000 and an esti-*  
24 *mated non-Federal cost of \$9,100,000.*

1       (g) *HALSTEAD, KANSAS.*—*The project for flood control,*  
 2 *Halstead, Kansas, authorized by section 401(a) of the Water*  
 3 *Resources Development Act of 1986 (Public Law 99–662;*  
 4 *100 Stat. 4116), is modified to authorize the Secretary to*  
 5 *construct the project substantially in accordance with the*  
 6 *post authorization change report for the project dated*  
 7 *March 1993, at a total cost of \$11,100,000, with an esti-*  
 8 *mated Federal cost of \$8,325,000 and an estimated non-*  
 9 *Federal cost of \$2,775,000.*

10       (h) *BAPTISTE COLLETTE BAYOU, LOUISIANA.*—*The*  
 11 *project for navigation, Mississippi River Outlets, Venice,*  
 12 *Louisiana, authorized by section 101 of the River and Har-*  
 13 *bor Act of 1968 (Public Law 90–483; 82 Stat. 731), is*  
 14 *modified to provide for the extension of the 16-foot deep*  
 15 *(mean low gulf) by 250-foot wide Baptiste Collette Bayou*  
 16 *entrance channel to approximately mile 8 of the Mississippi*  
 17 *River Gulf Outlet navigation channel at a total estimated*  
 18 *Federal cost of \$80,000, including \$4,000 for surveys and*  
 19 *\$76,000 for Coast Guard aids to navigation.*

20       (i) *MANISTIQUE HARBOR, MICHIGAN.*—

21               (1) *SAND AND STONE CAP.*—*The project for navi-*  
 22 *gation, Manistique Harbor, Schoolcraft County,*  
 23 *Michigan, authorized by the first section of the Act*  
 24 *entitled “An Act making appropriations for the con-*  
 25 *struction, repair, and preservation of certain public*

works on rivers and harbors, and for other purposes'', approved March 3, 1905 (33 Stat. 1136), is modified to permit installation of a sand and stone cap over sediments affected by polychlorinated biphenyls, in accordance with an administrative order of the Environmental Protection Agency.

(2) *PROJECT DEPTH.*—

(A) *IN GENERAL.*—Except as provided in subparagraph (B), the project described in paragraph (1) is modified to provide for an authorized depth of 18 feet.

(B) *EXCEPTION.*—The authorized depth shall be 12.5 feet in the areas where the sand and stone cap described in paragraph (1) will be placed within the following coordinates: 4220N–2800E to 4220N–3110E to 3980N–3260E to 3190N–3040E to 2960N–2560E to 3150N–2300E to 3680N–2510E to 3820N–2690E and back to 4220N–2800E.

(3) *HARBOR OF REFUGE.*—The project described in paragraph (1), including the breakwalls, pier, and authorized depth of the project (as modified by paragraph (2)), shall continue to be maintained as a harbor of refuge.

1       (j) *STILLWATER, MINNESOTA.*—Not later than 1 year  
2 after the date of enactment of this Act, the Secretary shall  
3 prepare a design memorandum for the project authorized  
4 by section 363 of the Water Resources Development Act of  
5 1992 (Public Law 102–580; 106 Stat. 4861) for the purpose  
6 of evaluating the Federal interest in construction of the  
7 project for flood control and determining the most feasible  
8 alternative. If the Secretary determines that there is such  
9 a Federal interest, the Secretary shall construct the most  
10 feasible alternative at a total cost of not to exceed  
11 \$11,600,000. The Federal share of the cost shall be 75 per-  
12 cent.

13       (k) *CAPE GIRARDEAU, MISSOURI.*—The project for  
14 flood control, Cape Girardeau, Jackson Metropolitan Area,  
15 Missouri, authorized by section 401(a) of the Water Re-  
16 sources Development Act of 1986 (Public Law 99–662; 100  
17 Stat. 4118–4119), is modified to authorize the Secretary to  
18 carry out the project, including the implementation of non-  
19 structural measures, at a total cost of \$44,700,000, with an  
20 estimated Federal cost of \$32,600,000 and an estimated  
21 non-Federal cost of \$12,100,000.

22       (l) *WILMINGTON HARBOR-NORTHEAST CAPE FEAR*  
23 *RIVER, NORTH CAROLINA.*—The project for navigation,  
24 Wilmington Harbor-Northeast Cape Fear River, North  
25 Carolina, authorized by section 202(a) of the Water Re-



1 *sources Development Act of 1986 (Public Law 99–662; 100*  
 2 *Stat. 4095), is modified to authorize the Secretary to con-*  
 3 *struct the project substantially in accordance with the gen-*  
 4 *eral design memorandum for the project dated April 1990*  
 5 *and the general design memorandum supplement for the*  
 6 *project dated February 1994, at a total cost of \$50,921,000,*  
 7 *with an estimated Federal cost of \$25,128,000 and an esti-*  
 8 *mated non-Federal cost of \$25,793,000.*

9       (m) *SAW MILL RUN, PENNSYLVANIA.—The project for*  
 10 *flood control, Saw Mill Run, Pittsburgh, Pennsylvania, au-*  
 11 *thorized by section 401(a) of the Water Resources Develop-*  
 12 *ment Act of 1986 (Public Law 99–662; 100 Stat. 4124),*  
 13 *is modified to authorize the Secretary to carry out the*  
 14 *project substantially in accordance with the post authoriza-*  
 15 *tion change and general reevaluation report for the project,*  
 16 *dated April 1994, at a total cost of \$12,780,000, with an*  
 17 *estimated Federal cost of \$9,585,000 and an estimated non-*  
 18 *Federal cost of \$3,195,000.*

19       (n) *ALLENDALE DAM, NORTH PROVIDENCE, RHODE*  
 20 *ISLAND.—The project for reconstruction of the Allendale*  
 21 *Dam, North Providence, Rhode Island, authorized by sec-*  
 22 *tion 358 of the Water Resources Development Act of 1992*  
 23 *(Public Law 102–580; 106 Stat. 4861), is modified to au-*  
 24 *thorize the Secretary to reconstruct the dam, at a total cost*

1 of \$350,000, with an estimated Federal cost of \$262,500 and  
 2 an estimated non-Federal cost of \$87,500.

3 (o) *INDIA POINT BRIDGE, SEEKONK RIVER, PROVI-*  
 4 *DENCE, RHODE ISLAND.*—The project for the removal and  
 5 demolition of the India Point Railroad Bridge, Seekonk  
 6 River, Rhode Island, authorized by section 1166(c) of the  
 7 Water Resources Development Act of 1986 (Public Law 99–  
 8 662; 100 Stat. 4258), is modified to authorize the Secretary  
 9 to demolish and remove the center span of the bridge, at  
 10 a total cost of \$1,300,000, with an estimated Federal cost  
 11 of \$650,000, and an estimated non-Federal cost of \$650,000.

12 (p) *DALLAS FLOODWAY EXTENSION, DALLAS,*  
 13 *TEXAS.*—

14 (1) *IN GENERAL.*—The project for flood control,  
 15 Dallas Floodway Extension, Dallas, Texas, authorized  
 16 by section 301 of the River and Harbor Act of 1965  
 17 (Public Law 89–298; 79 Stat. 1091), is modified to  
 18 provide that, notwithstanding the last sentence of sec-  
 19 tion 104(c) of the Water Resources Development Act  
 20 of 1986 (33 U.S.C. 2214(c)), the Secretary shall credit  
 21 the cost of work performed by the non-Federal inter-  
 22 ests in constructing flood protection works for Roch-  
 23 ester Park and the Central Wastewater Treatment  
 24 Plant against the non-Federal share of the cost of the  
 25 project or any revision of the project.

1           (2) *DETERMINATION OF AMOUNT.*—The amount  
 2           to be credited under paragraph (1) shall be deter-  
 3           mined by the Secretary. In determining the amount,  
 4           the Secretary shall include only the costs of such work  
 5           performed by the non-Federal interests as is—

6                   (A) compatible with the project described in  
 7                   paragraph (1) or any revision of the project; or

8                   (B) required for construction of the project  
 9                   or any revision of the project.

10          (3) *CASH CONTRIBUTION.*—Nothing in this sub-  
 11          section limits the applicability of the requirement  
 12          specified in section 103(a)(1)(A) of the Water Re-  
 13          sources Development Act of 1986 (33 U.S.C.  
 14          2213(a)(1)(A)) to the project described in paragraph  
 15          (1).

16          (q) *MATAGORDA SHIP CHANNEL, PORT LAVACA,*  
 17          *TEXAS.*—The project for navigation, Matagorda Ship  
 18          Channel, Port Lavaca, Texas, authorized by section 101 of  
 19          the River and Harbor Act of 1958 (Public Law 85-500;  
 20          72 Stat. 298), is modified to require the Secretary to assume  
 21          responsibility for the maintenance of the Point Comfort  
 22          Turning Basin Expansion Area to a depth of 36 feet, as  
 23          constructed by the non-Federal interests. The modification  
 24          described in the preceding sentence shall be considered to  
 25          be in the public interest and to be economically justified.

1       (r) *UPPER JORDAN RIVER, UTAH.*—The project for  
 2 flood control, Upper Jordan River, Utah, authorized by sec-  
 3 tion 101(a)(23) of the Water Resources Development Act of  
 4 1990 (Public Law 101-640; 104 Stat. 4610), is modified  
 5 to authorize the Secretary to carry out the project substan-  
 6 tially in accordance with the general design memorandum  
 7 for the project dated March 1994, and the post authoriza-  
 8 tion change report for the project dated April 1994, at a  
 9 total cost of \$12,370,000, with an estimated Federal cost  
 10 of \$8,220,000 and an estimated non-Federal cost of  
 11 \$4,150,000.

12       (s) *GRUNDY, VIRGINIA.*—The Secretary shall proceed  
 13 with planning, engineering, design, and construction of the  
 14 Grundy, Virginia, element of the Levisa and Tug Forks of  
 15 the Big Sandy River and Upper Cumberland River project,  
 16 authorized by section 202 of the Energy and Water Develop-  
 17 ment Appropriation Act, 1981 (Public Law 96-367; 94  
 18 Stat. 1339), in accordance with Plan 3A as set forth in  
 19 the preliminary draft detailed project report of the Hun-  
 20 tington District Commander, dated August 1993.

21       (t) *HAYSI LAKE, VIRGINIA AND KENTUCKY.*—The Sec-  
 22 retary shall expedite completion of the flood damage reduc-  
 23 tion plan for the Levisa Fork Basin in Virginia and Ken-  
 24 tucky, authorized by section 202 of the Energy and Water  
 25 Development Appropriation Act, 1981 (Public Law 96-367;

1 94 Stat. 1339), in a manner that is consistent with the  
 2 Haysi Lake component of the plan for flood control and  
 3 associated water resource features identified by the non-  
 4 Federal interests.

5 (u) *PETERSBURG, WEST VIRGINIA.*—The project for  
 6 flood control, Petersburg, West Virginia, authorized by sec-  
 7 tion 101(a)(26) of the Water Resources Development Act of  
 8 1990 (Public Law 101–640; 104 Stat. 4611), is modified  
 9 to authorize the Secretary to construct the project at a total  
 10 cost of not to exceed \$26,600,000, with an estimated Federal  
 11 cost of \$19,195,000 and an estimated non-Federal cost of  
 12 \$7,405,000.

13 (v) *TETON COUNTY, WYOMING.*—Section 840 of the  
 14 Water Resources Development Act of 1986 (Public Law 99–  
 15 662; 100 Stat. 4176) is amended—

16 (1) by striking “Secretary: Provided, That” and  
 17 inserting the following: “Secretary. In carrying out  
 18 this section, the Secretary may enter into agreements  
 19 with the non-Federal sponsors permitting the non-  
 20 Federal sponsors to perform operation and mainte-  
 21 nance for the project on a cost-reimbursable basis.  
 22 The”;

23 (2) by inserting “, through providing in-kind  
 24 services or” after “\$35,000”; and

25 (3) by inserting a comma after “materials”.

1 **SEC. 103. PROJECT DEAUTHORIZATIONS.**

2 (a) *BRIDGEPORT HARBOR, CONNECTICUT.*—

3 (1) *ANCHORAGE AREA.*—*The portion of the*  
4 *project for navigation, Bridgeport Harbor, Connecti-*  
5 *cut, authorized by section 101 of the River and Har-*  
6 *bor Act of 1958 (Public Law 85–500; 72 Stat. 297),*  
7 *consisting of a 2-acre anchorage area with a depth of*  
8 *6 feet at the head of Johnsons River between the Fed-*  
9 *eral channel and Hollisters Dam, is deauthorized.*

10 (2) *JOHNSONS RIVER CHANNEL.*—*The portion of*  
11 *the project for navigation, Johnsons River Channel,*  
12 *Bridgeport Harbor, Connecticut, authorized by the*  
13 *first section of the Act entitled “An Act authorizing*  
14 *the construction, repair, and preservation of certain*  
15 *public works on rivers and harbors, and for other*  
16 *purposes”, approved July 24, 1946 (60 Stat. 634),*  
17 *that is northerly of a line across the Federal channel*  
18 *the coordinates of which are north 123318.35, east*  
19 *486301.68, and north 123257.15, east 486380.77, is*  
20 *deauthorized.*

21 (b) *GUILFORD HARBOR, CONNECTICUT.*—

22 (1) *IN GENERAL.*—*The portion of the project for*  
23 *navigation, Guilford Harbor, Connecticut, authorized*  
24 *by the Act entitled “An Act authorizing the construc-*  
25 *tion, repair, and preservation of certain public works*  
26 *on rivers and harbors, and for other purposes”, ap-*

proved March 2, 1945 (59 Stat. 13), that consists of the 6-foot deep channel in Sluice Creek and that is not included in the description of the realigned channel set forth in paragraph (2) is deauthorized.

(2) DESCRIPTION OF REALIGNED CHANNEL.—

The realigned channel referred to in paragraph (1) is described as follows: starting at a point where the Sluice Creek Channel intersects with the main entrance channel, N159194.63, E623201.07, thence running north 24 degrees, 58 minutes, 15.2 seconds west 478.40 feet to a point N159628.31, E622999.11, thence running north 20 degrees, 18 minutes, 31.7 seconds west 351.53 feet to a point N159957.99, E622877.10, thence running north 69 degrees, 41 minutes, 37.9 seconds east 55.00 feet to a point N159977.08, E622928.69, thence turning and running south 20 degrees, 18 minutes, 31.0 seconds east 349.35 feet to a point N159649.45, E623049.94, thence turning and running south 24 degrees, 58 minutes, 11.1 seconds east 341.36 feet to a point N159340.00, E623194.04, thence turning and running south 90 degrees, 0 minutes, 0 seconds east 78.86 feet to a point N159340.00, E623272.90.

(c) NORWALK HARBOR, CONNECTICUT.—

1           (1) *IN GENERAL.*—*The following portions of*  
2           *projects for navigation, Norwalk Harbor, Connecticut,*  
3           *are deauthorized:*

4                   (A) *The portion authorized by the Act enti-*  
5                   *tled “An Act making appropriations for the con-*  
6                   *struction, repair, and preservation of certain*  
7                   *public works on rivers and harbors, and for other*  
8                   *purposes”, approved March 2, 1919 (40 Stat.*  
9                   *1276), that lies northerly of a line across the*  
10                  *Federal channel having coordinates N104199.72,*  
11                  *E417774.12 and N104155.59, E417628.96.*

12                  (B) *The portions of the 6-foot deep East*  
13                  *Norwalk Channel and Anchorage, authorized by*  
14                  *the Act entitled “An Act authorizing the con-*  
15                  *struction, repair, and preservation of certain*  
16                  *public works on rivers and harbors, and for other*  
17                  *purposes”, approved March 2, 1945 (59 Stat.*  
18                  *13), that are not included in the description of*  
19                  *the realigned channel and anchorage set forth in*  
20                  *paragraph (2).*

21           (2) *DESCRIPTION OF REALIGNED CHANNEL AND*  
22           *ANCHORAGE.*—*The realigned 6-foot deep East Nor-*  
23           *walk Channel and Anchorage referred to in para-*  
24           *graph (1)(B) is described as follows: starting at a*  
25           *point on the East Norwalk Channel, N95743.02,*



1     *E419581.37, thence running northwesterly about*  
 2     *463.96 feet to a point N96197.93, E419490.18, thence*  
 3     *running northwesterly about 549.32 feet to a point*  
 4     *N96608.49, E419125.23, thence running northwesterly*  
 5     *about 384.06 feet to a point N96965.94, E418984.75,*  
 6     *thence running northwesterly about 407.26 feet to a*  
 7     *point N97353.87, E418860.78, thence running west-*  
 8     *erly about 58.26 feet to a point N97336.26,*  
 9     *E418805.24, thence running northwesterly about*  
 10    *70.99 feet to a point N97390.30, E418759.21, thence*  
 11    *running westerly about 71.78 feet to a point on the*  
 12    *anchorage limit N97405.26, E418689.01, thence run-*  
 13    *ning southerly along the western limits of the Federal*  
 14    *anchorage in existence on the date of enactment of*  
 15    *this Act until reaching a point N95893.74,*  
 16    *E419449.17, thence running in a southwesterly direc-*  
 17    *tion about 78.74 feet to a point on the East Norwalk*  
 18    *Channel N95815.62, E419439.33.*

19           (3) *DESIGNATION OF REALIGNED CHANNEL AND*  
 20    *ANCHORAGE.—All of the realigned channel shall be re-*  
 21    *designated as an anchorage, with the exception of the*  
 22    *portion of the channel that narrows to a width of 100*  
 23    *feet and terminates at a line the coordinates of which*  
 24    *are N96456.81, E419260.06 and N96390.37,*  
 25    *E419185.32, which shall remain as a channel.*

1       (d) *SOUTHPORT HARBOR, CONNECTICUT.*—

2           (1) *IN GENERAL.*—*The following portions of the*  
 3       *project for navigation, Southport Harbor, Connecti-*  
 4       *cut, authorized by the first section of the Act entitled*  
 5       *“An Act authorizing the construction, repair, and*  
 6       *preservation of certain public works on rivers and*  
 7       *harbors, and for other purposes”, approved August 30,*  
 8       *1935 (49 Stat. 1029), are deauthorized:*

9           (A) *The 6-foot deep anchorage located at the*  
 10       *head of the project.*

11          (B) *The portion of the 9-foot deep channel*  
 12       *beginning at a bend in the channel the coordi-*  
 13       *nates of which are north 109131.16, east*  
 14       *452653.32, running thence in a northeasterly di-*  
 15       *rection about 943.01 feet to a point the coordi-*  
 16       *nates of which are north 109635.22, east*  
 17       *453450.31, running thence in a southeasterly di-*  
 18       *rection about 22.66 feet to a point the coordi-*  
 19       *nates of which are north 109617.15, east*  
 20       *453463.98, running thence in a southwesterly di-*  
 21       *rection about 945.18 feet to the point of begin-*  
 22       *ning.*

23          (2) *REMAINDER.*—*The portion of the project re-*  
 24       *ferred to in paragraph (1) that is remaining after the*  
 25       *deauthorization made by the paragraph and that is*

1        *northerly of a line the coordinates of which are north*  
 2        *108699.15, east 452768.36, and north 108655.66, east*  
 3        *452858.73, is redesignated as an anchorage.*

4        *(e) EAST BOOTHBAY HARBOR, MAINE.—The following*  
 5        *portion of the navigation project for East Boothbay Harbor,*  
 6        *Maine, authorized by the first section of the Act of June*  
 7        *25, 1910 (36 Stat. 631, chapter 382) (commonly referred*  
 8        *to as the “River and Harbor Act of 1910”), containing ap-*  
 9        *proximately 1.15 acres and described in accordance with*  
 10       *the Maine State Coordinate System, West Zone, is de-*  
 11       *authorized:*

12                *Beginning at a point noted as point number 6*  
 13                *and shown as having plan coordinates of North 9,*  
 14                *722, East 9, 909 on the plan entitled, “East Boothbay*  
 15                *Harbor, Maine, examination, 8-foot area”, and dated*  
 16                *August 9, 1955, Drawing Number F1251 D-6-2, said*  
 17                *point having Maine State Coordinate System, West*  
 18                *Zone coordinates of Northing 74514, Easting 698381;*  
 19                *and*

20                *Thence, North 58 degrees, 12 minutes, 30 seconds*  
 21                *East a distance of 120.9 feet to a point; and*

22                *Thence, South 72 degrees, 21 minutes, 50 seconds*  
 23                *East a distance of 106.2 feet to a point; and*

24                *Thence, South 32 degrees, 04 minutes, 55 seconds*  
 25                *East a distance of 218.9 feet to a point; and*

1           *Thence, South 61 degrees, 29 minutes, 40 seconds*  
 2           *West a distance of 148.9 feet to a point; and*

3           *Thence, North 35 degrees, 14 minutes, 12 seconds*  
 4           *West a distance of 87.5 feet to a point; and*

5           *Thence, North 78 degrees, 30 minutes, 58 seconds*  
 6           *West a distance of 68.4 feet to a point; and*

7           *Thence, North 27 degrees, 11 minutes, 39 seconds*  
 8           *West a distance of 157.3 feet to the point of begin-*  
 9           *ning.*

10          *(f) YORK HARBOR, MAINE.—The following portions of*  
 11          *the project for navigation, York Harbor, Maine, authorized*  
 12          *by section 101 of the River and Harbor Act of 1960 (Public*  
 13          *Law 86–645; 74 Stat. 480), are deauthorized:*

14               *(1) The portion located in the 8-foot deep an-*  
 15               *chorage area beginning at coordinates N109340.19,*  
 16               *E372066.93, thence running north 65 degrees, 12*  
 17               *minutes, 10.5 seconds east 423.27 feet to a point*  
 18               *N109517.71, E372451.17, thence running north 28*  
 19               *degrees, 42 minutes, 58.3 seconds west 11.68 feet to a*  
 20               *point N109527.95, E372445.56, thence running south*  
 21               *63 degrees, 37 minutes, 24.6 seconds west 422.63 feet*  
 22               *to the point of beginning.*

23               *(2) The portion located in the 8-foot deep an-*  
 24               *chorage area beginning at coordinates N108557.24,*  
 25               *E371645.88, thence running south 60 degrees, 41*

1        *minutes, 17.2 seconds east 484.51 feet to a point*  
 2        *N108320.04, E372068.36, thence running north 29*  
 3        *degrees, 12 minutes, 53.3 seconds east 15.28 feet to a*  
 4        *point N108333.38, E372075.82, thence running north*  
 5        *62 degrees, 29 minutes, 42.1 seconds west 484.73 feet*  
 6        *to the point of beginning.*

7        (g) *FALL RIVER HARBOR, MASSACHUSETTS AND*  
 8        *RHODE ISLAND.—The project for navigation, Fall River*  
 9        *Harbor, Massachusetts and Rhode Island, authorized by sec-*  
 10       *tion 101 of the River and Harbor Act of 1968 (Public Law*  
 11       *90–483; 82 Stat. 731), is modified to provide that alteration*  
 12       *of the drawspan of the Brightman Street Bridge to provide*  
 13       *a channel width of 300 feet shall not be required after the*  
 14       *date of enactment of this Act.*

15       (h) *OSWEGATCHIE RIVER, OGDENSBURG, NEW*  
 16       *YORK.—The portion of the Federal channel in the*  
 17       *Oswegatchie River in Ogdensburg, New York, from the*  
 18       *southernmost alignment of the Route 68 bridge, upstream*  
 19       *to the northernmost alignment of the Lake Street bridge,*  
 20       *is deauthorized.*

21       (i) *KICKAPOO RIVER, WISCONSIN.—*

22                (1) *PROJECT MODIFICATION.—The project for*  
 23       *flood control and allied purposes, Kickapoo River,*  
 24       *Wisconsin, authorized by section 203 of the Flood*  
 25       *Control Act of 1962 (Public Law 87–874; 76 Stat.*

1     *1190), as modified by section 814 of the Water Re-*  
 2     *sources Development Act of 1986 (Public Law 99–662;*  
 3     *100 Stat. 4169), is further modified as provided by*  
 4     *this subsection.*

5             (2) *TRANSFER OF PROPERTY.—*

6                 (A) *IN GENERAL.—Subject to the require-*  
 7                 *ments of this paragraph, the Secretary shall*  
 8                 *transfer to the State of Wisconsin, without con-*  
 9                 *sideration, all right, title, and interest of the*  
 10                *United States in and to the lands described in*  
 11                *subparagraph (B), including all works, struc-*  
 12                *tures, and other improvements on the lands.*

13               (B) *LAND DESCRIPTION.—The lands to be*  
 14                *transferred pursuant to subparagraph (A) are*  
 15                *the approximately 8,569 acres of land associated*  
 16                *with the LaFarge Dam and Lake portion of the*  
 17                *project referred to in paragraph (1) in Vernon*  
 18                *County, Wisconsin, in the following sections:*

19                   (i) *Section 31, Township 14 North,*  
 20                    *Range 1 West of the 4th Principal Merid-*  
 21                    *ian.*

22                   (ii) *Sections 2 through 11, and 16, 17,*  
 23                    *20, and 21, Township 13 North, Range 2*  
 24                    *West of the 4th Principal Meridian.*

1                   (iii) Sections 15, 16, 21 through 24,  
 2                   26, 27, 31, and 33 through 36, Township 14  
 3                   North, Range 2 West of the 4th Principal  
 4                   Meridian.

5                   (C) *TERMS AND CONDITIONS.*—The transfer  
 6                   under subparagraph (A) shall be made on the  
 7                   condition that the State of Wisconsin enters into  
 8                   a written agreement with the Secretary to hold  
 9                   the United States harmless from all claims arising  
 10                  from or through the operation of the lands  
 11                  and improvements subject to the transfer.

12                  (D) *DEADLINES.*—Not later than July 1,  
 13                  1996, the Secretary shall transmit to the State of  
 14                  Wisconsin an offer to make the transfer under  
 15                  this paragraph. The offer shall provide for the  
 16                  transfer to be made in the period beginning on  
 17                  November 1, 1996, and ending on December 31,  
 18                  1996.

19                  (E) *DEAUTHORIZATION.*—The LaFarge  
 20                  Dam and Lake portion of the project referred to  
 21                  in paragraph (1) is not authorized after the date  
 22                  of the transfer under this paragraph.

23                  (F) *INTERIM MANAGEMENT AND MAINTENANCE.*—The Secretary shall continue to manage  
 24                  and maintain the LaFarge Dam and Lake por-  
 25

1           tion of project referred to in paragraph (1) until  
2           the date of the transfer under this paragraph.

3   **SEC. 104. STUDIES.**

4           (a) *BEAR CREEK DRAINAGE, SAN JOAQUIN COUNTY,*  
5   *CALIFORNIA.*—The Secretary shall conduct a review of the  
6   *Bear Creek Drainage, San Joaquin County, California,*  
7   *flood control project, authorized by section 10 of the Act*  
8   *entitled “An Act authorizing the construction of certain*  
9   *public works on rivers and harbors for flood control, and*  
10   *for other purposes”, approved December 22, 1944 (58 Stat.*  
11   *901), to develop a comprehensive plan for additional flood*  
12   *damage reduction measures for the city of Stockton, Califor-*  
13   *nia, and surrounding areas.*

14          (b) *LAKE ELSINORE, RIVERSIDE COUNTY, CALIFOR-*  
15   *NIA.*—Not later than 18 months after the date of enactment  
16   *of this Act, the Secretary shall—*

17           (1) *conduct a study of the advisability of modi-*  
18   *fying, for the purpose of flood control pursuant to sec-*  
19   *tion 205 of the Flood Control Act of 1948 (33 U.S.C.*  
20   *701s), the Lake Elsinore, Riverside County, Califor-*  
21   *nia, flood control project, for water conservation stor-*  
22   *age up to an elevation of 1,249 feet above mean sea*  
23   *level; and*



1           (2) report to Congress on the study, including  
2       making recommendations concerning the advisability  
3       of so modifying the project.

4       (c) LONG BEACH, CALIFORNIA.—The Secretary shall  
5       review the feasibility of navigation improvements at Long  
6       Beach Harbor, California, including widening and deepen-  
7       ing of the navigation channel, as provided for in section  
8       201(b) of the Water Resources Development Act of 1986  
9       (Public Law 99–662; 100 Stat. 4091). The Secretary shall  
10      complete the report not later than 1 year after the date of  
11      enactment of this Act.

12      (d) MORMON SLOUGH/CALAVERAS RIVER, CALIFOR-  
13      NIA.—The Secretary shall conduct a review of the Mormon  
14      Slough/Calaveras River, California, flood control project,  
15      authorized by section 10 of the Act entitled “An Act author-  
16      izing the construction of certain public works on rivers and  
17      harbors for flood control, and for other purposes”, approved  
18      December 22, 1944 (58 Stat. 902), to develop a comprehen-  
19      sive plan for additional flood damage reduction measures  
20      for the city of Stockton, California, and surrounding areas.

21      (e) MURRIETA CREEK, RIVERSIDE COUNTY, CALIFOR-  
22      NIA.—The Secretary shall review the completed feasibility  
23      study of the Riverside County Flood Control and Water  
24      Conservation District, including identified alternatives,  
25      concerning Murrieta Creek from Temecula to Wildomar,

1 *Riverside County, California, to determine the Federal in-*  
 2 *terest in participating in a project for flood control.*

3       (f) *PINE FLAT DAM FISH AND WILDLIFE HABITAT*  
 4 *RESTORATION, CALIFORNIA.*—*The Secretary shall study the*  
 5 *feasibility of fish and wildlife habitat improvement meas-*  
 6 *ures identified for further study by the Pine Flat Dam Fish*  
 7 *and Wildlife Habitat Restoration Investigation Reconnaiss-*  
 8 *sance Report.*

9       (g) *WEST DADE, FLORIDA.*—*The Secretary shall con-*  
 10 *duct a reconnaissance study to determine the Federal inter-*  
 11 *est in using the West Dade, Florida, reuse facility to in-*  
 12 *crease the supply of surface water to the Everglades in order*  
 13 *to enhance fish and wildlife habitat.*

14       (h) *SAVANNAH RIVER BASIN COMPREHENSIVE WATER*  
 15 *RESOURCES STUDY.*—

16           (1) *IN GENERAL.*—*The Secretary shall conduct a*  
 17 *comprehensive study to address the current and future*  
 18 *needs for flood damage prevention and reduction,*  
 19 *water supply, and other related water resources needs*  
 20 *in the Savannah River Basin.*

21           (2) *SCOPE.*—*The scope of the study shall be lim-*  
 22 *ited to an analysis of water resources issues that fall*  
 23 *within the traditional civil works missions of the*  
 24 *Army Corps of Engineers.*

1           (3) *COORDINATION.*—*Notwithstanding para-*  
 2           *graph (2), the Secretary shall ensure that the study*  
 3           *is coordinated with the Environmental Protection*  
 4           *Agency and the ongoing watershed study by the Agen-*  
 5           *cy of the Savannah River Basin.*

6           (i) *BAYOU BLANC, CROWLEY, LOUISIANA.*—*The Sec-*  
 7           *retary shall conduct a reconnaissance study to determine*  
 8           *the Federal interest in the construction of a bulkhead sys-*  
 9           *tem, consisting of either steel sheet piling with tiebacks or*  
 10          *concrete, along the embankment of Bayou Blanc, Crowley,*  
 11          *Louisiana, in order to alleviate slope failures and erosion*  
 12          *problems in a cost-effective manner.*

13          (j) *HACKBERRY INDUSTRIAL SHIP CHANNEL PARK,*  
 14          *LOUISIANA.*—*The Secretary shall incorporate the area of*  
 15          *Hackberry, Louisiana, as part of the overall study of the*  
 16          *Lake Charles ship channel, bypass channel, and general an-*  
 17          *chorage area in Louisiana, to explore the possibility of con-*  
 18          *structing additional anchorage areas.*

19          (k) *CITY OF NORTH LAS VEGAS, CLARK COUNTY, NE-*  
 20          *VADA.*—*The Secretary shall conduct a reconnaissance study*  
 21          *to determine the Federal interest in channel improvements*  
 22          *in channel A of the North Las Vegas Wash in the city of*  
 23          *North Las Vegas, Nevada, for the purpose of flood control.*

24          (l) *LOWER LAS VEGAS WASH WETLANDS, CLARK*  
 25          *COUNTY, NEVADA.*—*The Secretary shall conduct a study to*

1 *determine the feasibility of the restoration of wetlands in*  
 2 *the Lower Las Vegas Wash, Nevada, for the purposes of ero-*  
 3 *sion control and environmental restoration.*

4 (m) *NORTHERN NEVADA.—The Secretary shall con-*  
 5 *duct reconnaissance studies, in the State of Nevada, of—*

6 (1) *the Humboldt River, and the tributaries and*  
 7 *outlets of the river;*

8 (2) *the Truckee River, and the tributaries and*  
 9 *outlets of the river;*

10 (3) *the Carson River, and the tributaries and*  
 11 *outlets of the river; and*

12 (4) *the Walker River, and the tributaries and*  
 13 *outlets of the river;*

14 *in order to determine the Federal interest in flood control,*  
 15 *environmental restoration, conservation of fish and wildlife,*  
 16 *recreation, water conservation, water quality, and toxic and*  
 17 *radioactive waste.*

18 (n) *BUFFALO HARBOR, NEW YORK.—The Secretary*  
 19 *shall determine the feasibility of excavating the inner har-*  
 20 *bor and constructing the associated bulkheads in Buffalo*  
 21 *Harbor, New York.*

22 (o) *COEYMANS, NEW YORK.—The Secretary shall con-*  
 23 *duct a reconnaissance study to determine the Federal inter-*  
 24 *est in reopening the secondary channel of the Hudson River*  
 25 *in the town of Coeymans, New York, which has been nar-*

1 rowed by silt as a result of the construction of Coeymans  
2 middle dike by the Army Corps of Engineers.

3 (p) *SHINNECOCK INLET, NEW YORK.*—Not later than  
4 2 years after the date of enactment of this Act, the Secretary  
5 shall conduct a reconnaissance study in Shinnecock Inlet,  
6 New York, to determine the Federal interest in constructing  
7 a sand bypass system, or other appropriate alternative, for  
8 the purposes of allowing sand to flow in the natural east-  
9 to-west pattern of the sand and preventing the further ero-  
10 sion of the beaches west of the inlet and the shoaling of the  
11 inlet.

12 (q) *KILL VAN KULL AND NEWARK BAY CHANNELS,*  
13 *NEW YORK AND NEW JERSEY.*—The Secretary shall con-  
14 tinue engineering and design in order to complete the navi-  
15 gation project at Kill Van Kull and Newark Bay Channels,  
16 New York and New Jersey, authorized to be constructed in  
17 the Supplemental Appropriations Act, 1985 (Public Law  
18 99–88; 99 Stat. 313), and section 202(a) of the Water Re-  
19 sources Development Act of 1986 (Public Law 99–662; 100  
20 Stat. 4095), described in the general design memorandum  
21 for the project, and approved in the Report of the Chief of  
22 Engineers dated December 14, 1981.

23 (r) *COLUMBIA SLOUGH, OREGON.*—Not later than 2  
24 years after the date of enactment of this Act, the Secretary  
25 shall complete a feasibility study for the ecosystem restora-

1 *tion project at Columbia Slough, Oregon, as reported in the*  
 2 *August 1993 Revised Reconnaissance Study. The study*  
 3 *shall be a demonstration study done in coordination with*  
 4 *the Environmental Protection Agency.*

5 *(s) OAHE DAM TO LAKE SHARPE, SOUTH DAKOTA.—*  
 6 *The Secretary shall—*

7 *(1) conduct a study to determine the feasibility*  
 8 *of sediment removal and control in the area of the*  
 9 *Missouri River downstream of Oahe Dam through the*  
 10 *upper reaches of Lake Sharpe, including the lower*  
 11 *portion of the Bad River, South Dakota; and*

12 *(2) develop a comprehensive sediment removal*  
 13 *and control plan for the area—*

14 *(A) based on the assessment by the study of*  
 15 *the dredging, estimated costs, and time required*  
 16 *to remove sediment from affected areas in Lake*  
 17 *Sharpe;*

18 *(B)(i) based on the identification by the*  
 19 *study of high erosion areas in the Bad River*  
 20 *channel; and*

21 *(ii) including recommendations and related*  
 22 *costs for such of the areas as are in need of sta-*  
 23 *bilization and restoration; and*

1           (C)(i) based on the identification by the  
 2           study of shoreline erosion areas along Lake  
 3           Sharpe; and

4           (ii) including recommended options for the  
 5           stabilization and restoration of the areas.

6           (t) *ASHLEY CREEK, UTAH.*—The Secretary is author-  
 7           ized to study the feasibility of undertaking a project for fish  
 8           and wildlife restoration at Ashley Creek, near Vernal, Utah.

## 9           **TITLE II—PROJECT-RELATED** 10           **PROVISIONS**

### 11       **SEC. 201. HEBER SPRINGS, ARKANSAS.**

12           (a) *IN GENERAL.*—The Secretary shall enter into an  
 13           agreement with the city of Heber Springs, Arkansas, to pro-  
 14           vide 3,522 acre-feet of water supply storage in Greers Ferry  
 15           Lake, Arkansas, for municipal and industrial purposes, at  
 16           no cost to the city.

17           (b) *NECESSARY FACILITIES.*—The city of Heber  
 18           Springs shall be responsible for 100 percent of the costs of  
 19           construction, operation, and maintenance of any intake,  
 20           transmission, treatment, or distribution facility necessary  
 21           for utilization of the water supply.

22           (c) *ADDITIONAL WATER SUPPLY STORAGE.*—Any ad-  
 23           ditional water supply storage required after the date of en-  
 24           actment of this Act shall be contracted for and reimbursed  
 25           by the city of Heber Springs, Arkansas.

1 **SEC. 202. MORGAN POINT, ARKANSAS.**

2 *The Secretary shall accept as in-kind contributions for*  
 3 *the project at Morgan Point, Arkansas—*

4 *(1) the items described as fish and wildlife facili-*  
 5 *ties and land in the Morgan Point Broadway Closure*  
 6 *Structure modification report for the project, dated*  
 7 *February 1994; and*

8 *(2) fish stocking activities carried out by the*  
 9 *non-Federal interests for the project.*

10 **SEC. 203. WHITE RIVER BASIN LAKES, ARKANSAS AND MIS-**  
 11 **SOURI.**

12 *The project for flood control and power generation at*  
 13 *White River Basin Lakes, Arkansas and Missouri, author-*  
 14 *ized by section 4 of the Act entitled “An Act authorizing*  
 15 *the construction of certain public works on rivers and har-*  
 16 *bors for flood control, and for other purposes”, approved*  
 17 *June 28, 1938 (52 Stat. 1218), shall include recreation and*  
 18 *fish and wildlife mitigation as purposes of the project, to*  
 19 *the extent that the purposes do not adversely impact flood*  
 20 *control, power generation, or other authorized purposes of*  
 21 *the project.*

22 **SEC. 204. CENTRAL AND SOUTHERN FLORIDA.**

23 *The project for Central and Southern Florida, author-*  
 24 *ized by section 203 of the Flood Control Act of 1968 (Public*  
 25 *Law 90–483; 82 Stat. 740), is modified, subject to the avail-*  
 26 *ability of appropriations, to authorize the Secretary to im-*



1 plement the recommended plan of improvement contained  
2 in a report entitled “Central and Southern Florida Project,  
3 Final Integrated General Reevaluation Report and Envi-  
4 ronmental Impact Statement, Canal 111 (C-111), South  
5 Dade County, Florida”, dated May 1994 (including acqui-  
6 sition of such portions of the Frog Pond and Rocky Glades  
7 areas as are needed for the project), at a total cost of  
8 \$121,000,000. The Federal share of the cost of implementing  
9 the plan of improvement shall be 50 percent. The Secretary  
10 of the Interior shall pay 25 percent of the cost of acquiring  
11 such portions of the Frog Pond and Rocky Glades areas  
12 as are needed for the project, which amount shall be in-  
13 cluded in the Federal share. The non-Federal share of the  
14 operation and maintenance costs of the improvements un-  
15 dertaken pursuant to this section shall be 100 percent, ex-  
16 cept that the Federal Government shall reimburse the non-  
17 Federal interest in an amount equal to 60 percent of the  
18 costs of operating and maintaining pump stations that  
19 pump water into Taylor Slough in Everglades National  
20 Park.

21 **SEC. 205. WEST PALM BEACH, FLORIDA.**

22 The project for flood protection of West Palm Beach,  
23 Florida (C-51), authorized by section 203 of the Flood Con-  
24 trol Act of 1962 (Public Law 87-874; 76 Stat. 1183), is  
25 modified to provide for the construction of an enlarged

1 *stormwater detention area, Storm Water Treatment Area*  
 2 *1 East, generally in accordance with the plan of improve-*  
 3 *ments described in the February 15, 1994, report entitled*  
 4 *“Everglades Protection Project, Palm Beach County, Flor-*  
 5 *ida, Conceptual Design”, prepared by Burns and McDon-*  
 6 *nell, and as further described in detailed design documents*  
 7 *to be approved by the Secretary. The additional work au-*  
 8 *thorized by this section shall be accomplished at full Federal*  
 9 *cost in recognition of the water supply benefits accruing*  
 10 *to the Loxahatchee National Wildlife Refuge and the Ever-*  
 11 *glades National Park and in recognition of the statement*  
 12 *in support of the Everglades restoration effort set forth in*  
 13 *the document signed by the Secretary of the Interior and*  
 14 *the Secretary in July 1993. Operation and maintenance*  
 15 *of the stormwater detention area shall be consistent with*  
 16 *regulations prescribed by the Secretary for the Central and*  
 17 *Southern Florida project, with all costs of the operation and*  
 18 *maintenance work borne by non-Federal interests.*

19 **SEC. 206. PERIODIC MAINTENANCE DREDGING FOR GREEN-**  
 20 **VILLE INNER HARBOR CHANNEL, MIS-**  
 21 **SISSIPPI.**

22 *The Greenville Inner Harbor Channel, Mississippi, is*  
 23 *deemed to be a portion of the navigable waters of the United*  
 24 *States, and shall be included among the navigable waters*  
 25 *for which the Army Corps of Engineers maintains a 10-*

1 *foot navigable channel. The navigable channel for the*  
 2 *Greenville Inner Harbor Channel shall be maintained in*  
 3 *a manner that is consistent with the navigable channel to*  
 4 *the Greenville Harbor and the portion of the Mississippi*  
 5 *River adjacent to the Greenville Harbor that is maintained*  
 6 *by the Army Corps of Engineers, as in existence on the date*  
 7 *of enactment of this Act.*

8 ***SEC. 207. SARDIS LAKE, MISSISSIPPI.***

9 *The Secretary shall work cooperatively with the State*  
 10 *of Mississippi and the city of Sardis to the maximum extent*  
 11 *practicable in the management of existing and proposed*  
 12 *leases of land consistent with the master tourism and rec-*  
 13 *reational plan for the economic development of the Sardis*  
 14 *Lake area prepared by the city.*

15 ***SEC. 208. LIBBY DAM, MONTANA.***

16 *(a) IN GENERAL.—In accordance with section*  
 17 *103(c)(1) of the Water Resources Development Act of 1986*  
 18 *(33 U.S.C. 2213(c)(1)), the Secretary shall—*

19 *(1) complete the construction and installation of*  
 20 *generating units 6 through 8 at Libby Dam, Mon-*  
 21 *tana; and*

22 *(2) remove the partially constructed haul bridge*  
 23 *over the Kootenai River, Montana.*

1       (b) *AUTHORIZATION OF APPROPRIATIONS.*—There are  
 2   authorized to be appropriated to carry out this section  
 3   \$16,000,000, to remain available until expended.

4   **SEC. 209. SMALL FLOOD CONTROL PROJECT, MALTA, MON-**  
 5                               **TANA.**

6       *Not later than 1 year after the date of enactment of*  
 7   *this Act, the Secretary is authorized to expend such Federal*  
 8   *funds as are necessary to complete the small flood control*  
 9   *project begun at Malta, Montana, pursuant to section 205*  
 10   *of the Flood Control Act of 1948 (33 U.S.C. 701s).*

11   **SEC. 210. CLIFFWOOD BEACH, NEW JERSEY.**

12       (a) *IN GENERAL.*—Notwithstanding any other provi-  
 13   sion of law or the status of the project authorized by section  
 14   203 of the Flood Control Act of 1962 (Public Law 87-874;  
 15   76 Stat. 1180) for hurricane-flood protection and beach ero-  
 16   sion control on Raritan Bay and Sandy Hook Bay, New  
 17   Jersey, the Secretary shall undertake a project to provide  
 18   periodic beach nourishment for Cliffwood Beach, New Jer-  
 19   sey, for a 50-year period beginning on the date of execution  
 20   of a project cooperation agreement by the Secretary and an  
 21   appropriate non-Federal interest.

22       (b) *NON-FEDERAL SHARE.*—The non-Federal share of  
 23   the cost of the project authorized by this section shall be  
 24   35 percent.

1 **SEC. 211. FIRE ISLAND INLET, NEW YORK.**

2 *For the purpose of replenishing the beach, the Sec-*  
 3 *retary shall place sand dredged from the Fire Island Inlet*  
 4 *on the shoreline between Gilgo State Park and Tobay Beach*  
 5 *to protect Ocean Parkway along the Atlantic Ocean shore-*  
 6 *line in Suffolk County, New York.*

7 **SEC. 212. BUFORD TRENTON IRRIGATION DISTRICT, NORTH**  
 8 **DAKOTA AND MONTANA.**

9 (a) *ACQUISITION OF EASEMENTS.—*

10 (1) *IN GENERAL.—The Secretary shall acquire,*  
 11 *from willing sellers, permanent flowage and satura-*  
 12 *tion easements over—*

13 (A) *the land in Williams County, North*  
 14 *Dakota, extending from the riverward margin of*  
 15 *the Buford Trenton Irrigation District main*  
 16 *canal to the north bank of the Missouri River,*  
 17 *beginning at the Buford Trenton Irrigation Dis-*  
 18 *trict pumping station located in the NE<sup>1</sup>/<sub>4</sub> of sec-*  
 19 *tion 17, T-152-N, R-104-W, and continuing*  
 20 *northeasterly downstream to the land referred to*  
 21 *as the East Bottom; and*

22 (B) *any other land outside the boundaries*  
 23 *of the Buford Trenton Irrigation District de-*  
 24 *scribed in subparagraph (A) that has been af-*  
 25 *ected by rising ground water and surface flood-*  
 26 *ing.*

1           (2) *SCOPE.*—*The easements acquired by the Sec-*  
2           *retary under paragraph (1) shall include the right,*  
3           *power, and privilege of the Federal Government to*  
4           *submerge, overflow, percolate, and saturate the surface*  
5           *and subsurface of the lands and such other terms and*  
6           *conditions as the Secretary considers appropriate.*

7           (3) *PAYMENT.*—*In acquiring the easements*  
8           *under paragraph (1), the Secretary shall pay an*  
9           *amount based on the unaffected fee value of the lands*  
10          *subject to the easements. For the purpose of this para-*  
11          *graph, the unaffected fee value of the lands is the*  
12          *value of the lands prior to being affected by rising*  
13          *ground water and surface flooding.*

14          (b) *CONVEYANCE OF DRAINAGE PUMPS.*—*Notwith-*  
15          *standing any other law, the Secretary may—*

16                (1) *convey to the Buford Trenton Irrigation Dis-*  
17                *trict all right, title, and interest of the United States*  
18                *in the drainage pumps located within the boundaries*  
19                *of the District; and*

20                (2) *may provide a lump sum payment of*  
21                *\$60,000 for power requirements associated with the*  
22                *operation of the drainage pumps.*

23          (c) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
24          *authorized to be appropriated to carry out this section*  
25          *\$34,000,000, to remain available until expended.*

1 **SEC. 213. WISTER LAKE PROJECT, LEFLORE COUNTY, OKLA-**  
2 **HOMA.**

3       *The Secretary shall maintain a minimum conserva-*  
4 *tion pool level of 478 feet at the Wister Lake project in*  
5 *LeFlore County, Oklahoma, authorized by section 4 of the*  
6 *Act entitled "An Act authorizing the construction of certain*  
7 *public works on rivers and harbors for flood control, and*  
8 *for other purposes", approved June 28, 1938 (52 Stat.*  
9 *1218). Notwithstanding title I of the Water Resources Devel-*  
10 *opment Act of 1986 (33 U.S.C. 2211 et seq.) or any other*  
11 *provision of law, any increase in water supply yield that*  
12 *results from the pool level of 478 feet shall be treated as*  
13 *unallocated water supply until such time as a user enters*  
14 *into a contract for the supply under such applicable laws*  
15 *concerning cost-sharing as are in effect on the date of the*  
16 *contract.*

17 **SEC. 214. WILLAMETTE RIVER, MCKENZIE SUBBASIN, OR-**  
18 **EGON.**

19       *The Secretary is authorized to carry out a project to*  
20 *control the water temperature in the Willamette River,*  
21 *McKenzie Subbasin, Oregon, to mitigate the negative im-*  
22 *pacts on fish and wildlife resulting from the operation of*  
23 *the Blue River and Cougar Lake projects, McKenzie River*  
24 *Basin, Oregon. The cost of the facilities shall be repaid ac-*  
25 *cording to the allocations among the purposes of the origi-*  
26 *nal projects.*

1 **SEC. 215. ABANDONED AND WRECKED BARGE REMOVAL,**  
2 **RHODE ISLAND.**

3 *Section 361 of the Water Resources Development Act*  
4 *of 1992 (Public Law 102–580; 106 Stat. 4861) is amended*  
5 *by striking subsection (a) and inserting the following:*

6 “(a) *IN GENERAL.*—In order to alleviate a hazard to  
7 navigation and recreational activity, the Secretary shall re-  
8 move a sunken barge from waters off the shore of the Narra-  
9 gansett Town Beach in Narragansett, Rhode Island, at a  
10 total cost of \$1,900,000, with an estimated Federal cost of  
11 \$1,425,000, and an estimated non-Federal cost of \$475,000.  
12 The Secretary shall not remove the barge until title to the  
13 barge has been transferred to the United States or the non-  
14 Federal interest. The transfer of title shall be carried out  
15 at no cost to the United States.”.

16 **SEC. 216. PROVIDENCE RIVER AND HARBOR, RHODE IS-**  
17 **LAND.**

18 *The Secretary shall incorporate a channel extending*  
19 *from the vicinity of the Fox Point hurricane barrier to the*  
20 *vicinity of the Francis Street bridge in Providence, Rhode*  
21 *Island, into the navigation project for Providence River and*  
22 *Harbor, Rhode Island, authorized by section 301 of the*  
23 *River and Harbor Act of 1965 (Public Law 89–298; 79*  
24 *Stat. 1089). The channel shall have a depth of up to 10*  
25 *feet and a width of approximately 120 feet and shall be*  
26 *approximately 1.25 miles in length.*



1 **SEC. 217. COOPER LAKE AND CHANNELS, TEXAS.**

2 (a) *ACCEPTANCE OF LANDS.*—The Secretary is author-  
3 ized to accept from a non-Federal interest additional lands  
4 of not to exceed 300 acres that—

5 (1) *are contiguous to the Cooper Lake and Chan-*  
6 *nels Project, Texas, authorized by section 301 of the*  
7 *River and Harbor Act of 1965 (Public Law 89–298;*  
8 *79 Stat. 1091) and section 601(a) of the Water Re-*  
9 *sources Development Act of 1986 (Public Law 99–662;*  
10 *100 Stat. 4145); and*

11 (2) *provide habitat value at least equal to the*  
12 *habitat value provided by the lands authorized to be*  
13 *redesignated under subsection (b).*

14 (b) *REDESIGNATION OF LANDS TO RECREATION PUR-*  
15 *POSES.*—Upon the acceptance of lands under subsection (a),  
16 the Secretary is authorized to redesignate mitigation lands  
17 of not to exceed 300 acres to recreation purposes.

18 (c) *FUNDING.*—The cost of all work under this section,  
19 including real estate appraisals, cultural and environ-  
20 mental surveys, and all development necessary to avoid net  
21 mitigation losses, to the extent required, shall be borne by  
22 the non-Federal interest.

23 **SEC. 218. RUDEE INLET, VIRGINIA BEACH, VIRGINIA.**

24 Notwithstanding the limitation set forth in section  
25 107(b) of the River and Harbor Act of 1960 (33 U.S.C.  
26 577(b)), Federal participation in the maintenance of the

1 *Rudee Inlet, Virginia Beach, Virginia, project shall con-*  
 2 *tinue for the life of the project. Nothing in this section shall*  
 3 *alter or modify the non-Federal cost sharing responsibility*  
 4 *as specified in the Rudee Inlet, Virginia Beach, Virginia*  
 5 *Detailed Project Report, dated October 1983.*

6 **SEC. 219. VIRGINIA BEACH, VIRGINIA.**

7 *Notwithstanding any other law, the non-Federal share*  
 8 *of the costs of the project for beach erosion control and hur-*  
 9 *ricane protection, Virginia Beach, Virginia, authorized by*  
 10 *section 501(a) of the Water Resources Development Act of*  
 11 *1986 (Public Law 99-662; 100 Stat. 4136), shall be reduced*  
 12 *by \$3,120,803, or by such amount as is determined by an*  
 13 *audit carried out by the Department of the Army to be due*  
 14 *to the city of Virginia Beach as reimbursement for beach*  
 15 *nourishment activities carried out by the city between Octo-*  
 16 *ber 1, 1986, and September 30, 1993, if the Federal Govern-*  
 17 *ment has not reimbursed the city for the activities prior*  
 18 *to the date on which a project cooperation agreement is exe-*  
 19 *cuted for the project.*

20 **TITLE III—GENERAL**  
 21 **PROVISIONS**

22 **SEC. 301. COST-SHARING FOR ENVIRONMENTAL PROJECTS.**

23 *Section 103(c) of the Water Resources Development Act*  
 24 *of 1986 (33 U.S.C. 2213(c)) is amended—*

1           (1) in paragraph (5), by striking “and” at the  
2       end;

3           (2) in paragraph (6), by striking the period at  
4       the end and inserting “; and”; and

5           (3) by adding at the end the following:

6           “(7) environmental protection and restoration:  
7       25 percent.”.

8       **SEC. 302. COLLABORATIVE RESEARCH AND DEVELOPMENT.**

9       Section 7 of the Water Resources Development Act of  
10     1988 (33 U.S.C. 2313) is amended—

11           (1) by striking subsection (e);

12           (2) by redesignating subsection (d) as subsection  
13       (e); and

14           (3) by inserting after subsection (c) the follow-  
15       ing:

16       “(d) TEMPORARY PROTECTION OF TECHNOLOGY.—

17           “(1) PRE-AGREEMENT.—If the Secretary deter-  
18       mines that information developed as a result of a re-  
19       search or development activity conducted by the Army  
20       Corps of Engineers is likely to be subject to a coopera-  
21       tive research and development agreement within 2  
22       years after the development of the information, and  
23       that the information would be a trade secret or com-  
24       mercial or financial information that would be privi-  
25       leged or confidential if the information had been ob-

1     *tained from a non-Federal party participating in a*  
 2     *cooperative research and development agreement*  
 3     *under section 12 of the Stevenson-Wydler Technology*  
 4     *Innovation Act of 1980 (15 U.S.C. 3710a), the Sec-*  
 5     *retary may provide appropriate protections against*  
 6     *the dissemination of the information, including ex-*  
 7     *emption from subchapter II of chapter 5 of title 5,*  
 8     *United States Code, until the earlier of—*

9             *“(A) the date on which the Secretary enters*  
 10            *into such an agreement with respect to the infor-*  
 11            *mation; or*

12            *“(B) the last day of the 2-year period begin-*  
 13            *ning on the date of the determination.*

14            *“(2) POST-AGREEMENT.—Any information sub-*  
 15            *ject to paragraph (1) that becomes the subject of a co-*  
 16            *operative research and development agreement shall*  
 17            *be subject to the protections provided under section*  
 18            *12(c)(7)(B) of the Act (15 U.S.C. 3710a(c)(7)(B)) as*  
 19            *if the information had been developed under a cooper-*  
 20            *ative research and development agreement.”.*

21     **SEC. 303. NATIONAL INVENTORY OF DAMS.**

22         *Section 13 of Public Law 92–367 (33 U.S.C. 467l) is*  
 23     *amended by striking the second sentence and inserting the*  
 24     *following: “There are authorized to be appropriated to carry*  
 25     *out this section \$500,000 for each fiscal year.”.*

1 **SEC. 304. HYDROELECTRIC POWER PROJECT UPRATING.**

2       (a) *IN GENERAL.*—In carrying out the maintenance,  
3 rehabilitation, and modernization of a hydroelectric power  
4 generating facility at a water resources project under the  
5 jurisdiction of the Department of the Army, the Secretary  
6 is authorized to take such actions as are necessary to in-  
7 crease the efficiency of energy production or the capacity  
8 of the facility, or both, if, after consulting with the heads  
9 of other appropriate Federal and State agencies, the Sec-  
10 retary determines that the increase—

11               (1) *is economically justified and financially fea-*  
12       *sible;*

13               (2) *will not result in any significant adverse ef-*  
14       *fect on the other purposes for which the project is au-*  
15       *thorized;*

16               (3) *will not result in significant adverse environ-*  
17       *mental impacts; and*

18               (4) *will not involve major structural or oper-*  
19       *ational changes in the project.*

20       (b) *EFFECT ON OTHER AUTHORITY.*—This section  
21 shall not affect the authority of the Secretary and the Ad-  
22 ministrator of the Bonneville Power Administration under  
23 section 2406 of the Energy Policy Act of 1992 (16 U.S.C.  
24 839d–1).

1 **SEC. 305. FEDERAL LUMP-SUM PAYMENTS FOR FEDERAL**  
2 **OPERATION AND MAINTENANCE COSTS.**

3 (a) *IN GENERAL.*—In the case of a water resources  
4 project under the jurisdiction of the Department of the  
5 Army for which the non-Federal interests are responsible  
6 for performing the operation, maintenance, replacement,  
7 and rehabilitation of the project, or a separable element (as  
8 defined in section 103(f) of the Water Resources Develop-  
9 ment Act of 1986 (33 U.S.C. 2213(f)) of the project, and  
10 for which the Federal Government is responsible for paying  
11 a portion of the operation, maintenance, replacement, and  
12 rehabilitation costs of the project or separable element, the  
13 Secretary may make, in accordance with this section and  
14 under terms and conditions acceptable to the Secretary, a  
15 payment of the estimated total Federal share of the costs  
16 to the non-Federal interests after completion of construction  
17 of the project or separable element.

18 (b) *AMOUNT OF PAYMENT.*—The amount that may be  
19 paid by the Secretary under subsection (a) shall be equal  
20 to the present value of the Federal payments over the life  
21 of the project, as estimated by the Federal Government, and  
22 shall be computed using an interest rate determined by the  
23 Secretary of the Treasury taking into consideration current  
24 market yields on outstanding marketable obligations of the  
25 United States with maturities comparable to the remaining  
26 life of the project.

1       (c) *AGREEMENT.*—*The Secretary may make a pay-*  
 2 *ment under this section only if the non-Federal interests*  
 3 *have entered into a binding agreement with the Secretary*  
 4 *to perform the operation, maintenance, replacement, and*  
 5 *rehabilitation of the project or separable element. The agree-*  
 6 *ment shall—*

7           (1) *meet the requirements of section 221 of the*  
 8 *Flood Control Act of 1970 (42 U.S.C. 1962d–5b); and*

9           (2) *specify—*

10           (A) *the terms and conditions under which a*  
 11 *payment may be made under this section; and*

12           (B) *the rights of, and remedies available to,*  
 13 *the Federal Government to recover all or a por-*  
 14 *tion of a payment made under this section if a*  
 15 *non-Federal interest suspends or terminates the*  
 16 *performance by the non-Federal interest of the*  
 17 *operation, maintenance, replacement, and reha-*  
 18 *bilitation of the project or separable element, or*  
 19 *fails to perform the activities in a manner that*  
 20 *is satisfactory to the Secretary.*

21       (d) *EFFECT OF PAYMENT.*—*Except as provided in sub-*  
 22 *section (c), a payment provided to the non-Federal interests*  
 23 *under this section shall relieve the Federal Government of*  
 24 *any obligation, after the date of the payment, to pay any*

1 *of the operation, maintenance, replacement, or rehabilita-*  
 2 *tion costs for the project or separable element.*

3 **SEC. 306. COST-SHARING FOR REMOVAL OF EXISTING**  
 4 **PROJECT FEATURES.**

5 *After the date of enactment of this Act, any proposal*  
 6 *submitted to Congress by the Secretary for modification of*  
 7 *an existing authorized water resources development project*  
 8 *(in existence on the date of the proposal) by removal of one*  
 9 *or more of the project features that would significantly and*  
 10 *adversely impact the authorized project purposes or outputs*  
 11 *shall include the recommendation that the non-Federal in-*  
 12 *terests shall provide 50 percent of the cost of any such modi-*  
 13 *fication, including the cost of acquiring any additional in-*  
 14 *terests in lands that become necessary for accomplishing the*  
 15 *modification.*

16 **SEC. 307. TERMINATION OF TECHNICAL ADVISORY COMMIT-**  
 17 **TEE.**

18 *Section 310 of the Water Resources Development Act*  
 19 *of 1990 (33 U.S.C. 2319) is amended—*

20 *(1) by striking subsection (a); and*

21 *(2) in subsection (b)—*

22 *(A) by striking “(b) PUBLIC PARTICIPA-*  
 23 *TION.—”; and*

24 *(B) by striking “subsection” each place it*  
 25 *appears and inserting “section”.*



1 **SEC. 308. CONDITIONS FOR PROJECT DEAUTHORIZATIONS.**

2 (a) *IN GENERAL.*—Section 1001(b)(2) of the Water Re-  
3 sources Development Act of 1986 (33 U.S.C. 579a(b)(2)) is  
4 amended—

5 (1) in the first sentence, by striking “10” and  
6 inserting “5”;

7 (2) in the second sentence, by striking “Before”  
8 and inserting “Upon official”; and

9 (3) in the last sentence, by inserting “the plan-  
10 ning, design, or” before “construction”.

11 (b) *CONFORMING AMENDMENTS.*—Section 52 of the  
12 Water Resources Development Act of 1988 (Public Law  
13 100–676; 102 Stat. 4044) is amended—

14 (1) by striking subsection (a) (33 U.S.C. 579a  
15 note);

16 (2) by redesignating subsections (b) through (e)  
17 as subsections (a) through (d), respectively; and

18 (3) in subsection (d) (as so redesignated), by  
19 striking “or subsection (a) of this section”.

20 **SEC. 309. PARTICIPATION IN INTERNATIONAL ENGINEER-**  
21 **ING AND SCIENTIFIC CONFERENCES.**

22 Section 211 of the Flood Control Act of 1950 (33  
23 U.S.C. 701u) is repealed.

1 **SEC. 310. RESEARCH AND DEVELOPMENT IN SUPPORT OF**  
2 **ARMY CIVIL WORKS PROGRAM.**

3 (a) *IN GENERAL.*—In carrying out research and devel-  
4 opment in support of the civil works program of the Depart-  
5 ment of the Army, the Secretary may utilize contracts, co-  
6 operative research and development agreements, and cooper-  
7 ative agreements with, and grants to, non-Federal entities,  
8 including State and local governments, colleges and univer-  
9 sities, consortia, professional and technical societies, public  
10 and private scientific and technical foundations, research  
11 institutions, educational organizations, and nonprofit orga-  
12 nizations.

13 (b) *COMMERCIAL APPLICATION.*—In the case of a con-  
14 tract for research or development, or both, the Secretary  
15 may—

16 (1) *require that the research or development, or*  
17 *both, have potential commercial application; and*

18 (2) *use the potential for commercial application*  
19 *as an evaluation factor, if appropriate.*

20 **SEC. 311. INTERAGENCY AND INTERNATIONAL SUPPORT**  
21 **AUTHORITY.**

22 (a) *IN GENERAL.*—The Secretary may engage in ac-  
23 tivities in support of other Federal agencies or inter-  
24 national organizations to address problems of national sig-  
25 nificance to the United States. The Secretary may engage  
26 in activities in support of international organizations only

1 *after consulting with the Secretary of State. The Secretary*  
 2 *may use the technical and managerial expertise of the Army*  
 3 *Corps of Engineers to address domestic and international*  
 4 *problems related to water resources, infrastructure develop-*  
 5 *ment, and environmental protection.*

6 (b) *FUNDING.*—*There are authorized to be appro-*  
 7 *priated \$1,000,000 to carry out this section. The Secretary*  
 8 *may accept and expend additional funds from other Federal*  
 9 *agencies or international organizations to carry this sec-*  
 10 *tion.*

11 **SEC. 312. SECTION 1135 PROGRAM.**

12 (a) *EXPANSION OF PROGRAM.*—*Section 1135 of the*  
 13 *Water Resources Development Act of 1986 (33 U.S.C.*  
 14 *2309a) is amended—*

15 (1) *in subsection (a), by inserting before the pe-*  
 16 *riod at the end the following: “and to determine if the*  
 17 *operation of the projects has contributed to the deg-*  
 18 *radation of the quality of the environment”;*

19 (2) *in subsection (b), by striking the last two*  
 20 *sentences;*

21 (3) *by redesignating subsections (c), (d), and (e)*  
 22 *as subsections (e), (f), and (g), respectively; and*

23 (4) *by inserting after subsection (b) the follow-*  
 24 *ing:*

1       “(c) *MEASURES TO RESTORE ENVIRONMENTAL QUAL-*  
 2 *ITY.—If the Secretary determines under subsection (a) that*  
 3 *operation of a water resources project has contributed to*  
 4 *the degradation of the quality of the environment, the Sec-*  
 5 *retary may carry out, with respect to the project, measures*  
 6 *for the restoration of environmental quality, if the measures*  
 7 *are feasible and consistent with the authorized purposes of*  
 8 *the project.*

9       “(d) *FUNDING.—The non-Federal share of the cost of*  
 10 *any modification or measure carried out pursuant to sub-*  
 11 *section (b) or (c) shall be 25 percent. Not more than*  
 12 *\$5,000,000 in Federal funds may be expended on any 1*  
 13 *such modification or measure.”.*

14       (b) *PINE FLAT DAM FISH AND WILDLIFE HABITAT*  
 15 *RESTORATION, CALIFORNIA.—In accordance with section*  
 16 *1135(b) of the Water Resources Development Act of 1986*  
 17 *(33 U.S.C. 2309a(b)), the Secretary shall carry out the con-*  
 18 *struction of a turbine bypass at Pine Flat Dam, Kings*  
 19 *River, California.*

20       (c) *LOWER AMAZON CREEK RESTORATION, OR-*  
 21 *EGON.—In accordance with section 1135 of the Water Re-*  
 22 *sources Development Act of 1986 (33 U.S.C. 2309a), the*  
 23 *Secretary may carry out justified environmental restora-*  
 24 *tion measures with respect to the flood reduction measures*  
 25 *constructed by the Army Corps of Engineers, and the relat-*

1 *ed flood reduction measures constructed by the Natural Re-*  
 2 *sources Conservation Service, in the Amazon Creek drain-*  
 3 *age. The Federal share of the restoration measures shall be*  
 4 *jointly funded by the Army Corps of Engineers and the Nat-*  
 5 *ural Resources Conservation Service in proportion to the*  
 6 *share required to be paid by each agency of the original*  
 7 *costs of the flood reduction measures.*

8 **SEC. 313. ENVIRONMENTAL DREDGING.**

9 *Section 312 of the Water Resources Development Act*  
 10 *of 1990 (Public Law 101–640; 33 U.S.C. 1252 note) is*  
 11 *amended by striking subsection (f).*

12 **SEC. 314. FEASIBILITY STUDIES.**

13 *(a) NON-FEDERAL SHARE.—Section 105(a)(1) of the*  
 14 *Water Resources Development Act of 1986 (33 U.S.C.*  
 15 *2215(a)(1)) is amended—*

16 *(1) in the first sentence, by striking “during the*  
 17 *period of such study”;*

18 *(2) by inserting after the first sentence the fol-*  
 19 *lowing: “During the period of the study, the non-Fed-*  
 20 *eral share of the cost of the study shall be not more*  
 21 *than 50 percent of the estimate of the cost of the study*  
 22 *as contained in the feasibility cost sharing agreement.*  
 23 *The cost estimate may be amended only by mutual*  
 24 *agreement of the Secretary and the non-Federal inter-*  
 25 *ests. The non-Federal share of any costs in excess of*

1        *the cost estimate shall, except as otherwise mutually*  
 2        *agreed by the Secretary and the non-Federal interests,*  
 3        *be payable after the project has been authorized for*  
 4        *construction and on the date on which the Secretary*  
 5        *and non-Federal interests enter into an agreement*  
 6        *pursuant to section 101(e) or 103(j).”; and*

7            *(3) in the last sentence, by striking “such non-*  
 8        *Federal contribution” and inserting “the non-Federal*  
 9        *share required under this paragraph”.*

10        *(b) APPLICABILITY.—The amendments made by sub-*  
 11        *section (a) shall apply notwithstanding any feasibility cost*  
 12        *sharing agreement entered into by the Secretary and non-*  
 13        *Federal interests, and the Secretary shall amend any fea-*  
 14        *sibility cost sharing agreements in effect on the date of en-*  
 15        *actment of this Act so as to conform the agreements with*  
 16        *the amendments. Nothing in this section or any amendment*  
 17        *made by this section shall require the Secretary to reim-*  
 18        *burse the non-Federal interests for funds previously contrib-*  
 19        *uted for a study.*

20        **SEC. 315. OBSTRUCTION REMOVAL REQUIREMENT.**

21        *(a) PENALTY.—Section 16 of the Act entitled “An Act*  
 22        *making appropriations for the construction, repair, and*  
 23        *preservation of certain public works on rivers and harbors,*  
 24        *and for other purposes”, approved March 3, 1899 (33*  
 25        *U.S.C. 411), is amended—*

1           (1) by striking “sections thirteen, fourteen, and  
2           fifteen” and inserting “section 13, 14, 15, 19, or 20”;  
3           and

4           (2) by striking “not exceeding twenty-five hun-  
5           dred dollars nor less than five hundred dollars” and  
6           inserting “of not more than \$25,000 for each day that  
7           the violation continues”.

8           (b) *GENERAL AUTHORITY.*—Section 20 of the Act (33  
9           U.S.C. 415) is amended—

10           (1) in subsection (a)—

11                   (A) by striking “Under emergency” and in-  
12                   serting “*SUMMARY REMOVAL PROCEDURES.*—  
13                   Under emergency”; and

14                   (B) by striking “expense” the first place it  
15                   appears and inserting “actual expense, including  
16                   administrative expenses,”;

17           (2) in subsection (b)—

18                   (A) by striking “cost” and inserting “actual  
19                   cost, including administrative costs,”; and

20                   (B) by striking “(b) The” and inserting “(c)  
21                   *LIABILITY OF OWNER, LESSEE, OR OPERA-*  
22                   *TOR.*—The”; and

23           (3) by inserting after subsection (a) the follow-  
24           ing:

1       “(b) *REMOVAL REQUIREMENT.*—Not later than 24  
 2 hours after the Secretary of the Department in which the  
 3 Coast Guard is operating issues an order to stop or delay  
 4 navigation in any navigable waters of the United States  
 5 because of conditions related to the sinking or grounding  
 6 of a vessel, the owner or operator of the vessel, with the ap-  
 7 proval of the Secretary of the Army, shall begin removal  
 8 of the vessel using the most expeditious removal method  
 9 available or, if appropriate, secure the vessel pending re-  
 10 moval to allow navigation to resume. If the owner or opera-  
 11 tor fails to begin removal or to secure the vessel pending  
 12 removal in accordance with the preceding sentence or fails  
 13 to complete removal as soon as possible, the Secretary of  
 14 the Army shall remove or destroy the vessel using the sum-  
 15 mary removal procedures under subsection (a).”.

16 **SEC. 316. LEVEE OWNERS MANUAL.**

17       Section 5 of the Act entitled “An Act authorizing the  
 18 construction of certain public works on rivers and harbors  
 19 for flood control, and for other purposes”, approved August  
 20 18, 1941 (33 U.S.C. 701n), is amended by adding at the  
 21 end the following:

22       “(c) *LEVEE OWNERS MANUAL.*—

23               “(1) *IN GENERAL.*—Not later than 1 year after  
 24 the date of enactment of this subsection, in accordance  
 25 with chapter 5 of title 5, United States Code, the Sec-



1     *retary shall prepare a manual describing the mainte-*  
 2     *nance and upkeep responsibilities that the Army*  
 3     *Corps of Engineers requires of a non-Federal interest*  
 4     *in order for the non-Federal interest to receive Fed-*  
 5     *eral assistance under this section. The Secretary shall*  
 6     *provide a copy of the manual at no cost to each non-*  
 7     *Federal interest that is eligible to receive Federal as-*  
 8     *sistance under this section.*

9             “(2) *PROHIBITION ON DELEGATION.*—*The prepa-*  
 10     *ration of the manual shall be carried out under the*  
 11     *personal direction of the Secretary.*

12            “(3) *AUTHORIZATION OF APPROPRIATIONS.*—  
 13     *There are authorized to be appropriated \$1,000,000 to*  
 14     *carry out this subsection.*

15            “(4) *DEFINITIONS.*—*In this subsection:*

16               “(A) *MAINTENANCE AND UPKEEP.*—*The*  
 17     *term ‘maintenance and upkeep’ means all main-*  
 18     *tenance and general upkeep of a levee performed*  
 19     *on a regular and consistent basis that is not re-*  
 20     *pair and rehabilitation.*

21               “(B) *REPAIR AND REHABILITATION.*—*The*  
 22     *term ‘repair and rehabilitation’—*

23                   “(i) *except as provided in clause (ii),*  
 24     *means the repair or rebuilding of a levee or*  
 25     *other flood control structure, after the struc-*

ture has been damaged by a flood, to the level of protection provided by the structure before the flood; and

“(ii) does not include—

“(I) any improvement to the structure; or

“(II) repair or rebuilding described in clause (i) if, in the normal course of usage, the structure becomes structurally unsound and is no longer fit to provide the level of protection for which the structure was designed.

“(C) SECRETARY.—The term ‘Secretary’ means the Secretary of the Army.”.

**SEC. 317. RISK-BASED ANALYSIS METHODOLOGY.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall obtain the services of an independent consultant to evaluate—

(1) the relationship between—

(A) the Risk-Based Analysis for Evaluation of Hydrology/Hydraulics and Economics in Flood Damage Reduction Studies established in an Army Corps of Engineers engineering circular; and

1           (B) *minimum engineering and safety*  
2           *standards;*

3           (2) *the validity of results generated by the stud-*  
4           *ies described in paragraph (1); and*

5           (3) *policy impacts related to change in the stud-*  
6           *ies described in paragraph (1).*

7           (b) *TASK FORCE.—*

8           (1) *IN GENERAL.—In carrying out the independ-*  
9           *ent evaluation under subsection (a), the Secretary,*  
10          *not later than 90 days after the date of enactment of*  
11          *this Act, shall establish a task force to oversee and re-*  
12          *view the analysis.*

13          (2) *MEMBERSHIP.—The task force shall consist*  
14          *of—*

15               (A) *the Assistant Secretary of the Army*  
16               *having responsibility for civil works, who shall*  
17               *serve as chairperson of the task force;*

18               (B) *the Administrator of the Federal Emer-*  
19               *gency Management Agency;*

20               (C) *the Chief of the Natural Resources Con-*  
21               *servation Service of the Department of Agri-*  
22               *culture;*

23               (D) *a State representative appointed by the*  
24               *Secretary from among individuals recommended*  
25               *by the Association of State Floodplain Managers;*

1           (E) a local government public works official  
 2           appointed by the Secretary from among individ-  
 3           uals recommended by a national organization  
 4           representing public works officials; and

5           (F) an individual from the private sector,  
 6           who shall be appointed by the Secretary.

7           (3) COMPENSATION.—

8           (A) IN GENERAL.—Except as provided in  
 9           subparagraph (B), a member of the task force  
 10          shall serve without compensation.

11          (B) EXPENSES.—Each member of the task  
 12          force shall be allowed—

13               (i) travel expenses, including per diem  
 14               in lieu of subsistence, at rates authorized for  
 15               employees of agencies under subchapter I of  
 16               chapter 57 of title 5, United States Code,  
 17               while away from the home or regular place  
 18               of business of the member in the perform-  
 19               ance of services for the task force; and

20               (ii) other expenses incurred in the per-  
 21               formance of services for the task force, as de-  
 22               termined by the Secretary.

23          (4) TERMINATION.—The task force shall termi-  
 24          nate 2 years after the date of enactment of this Act.

1       (c) *LIMITATION ON USE OF METHODOLOGY.*—During  
 2   the period beginning on the date of enactment of this Act  
 3   and ending 2 years after that date, if requested by a non-  
 4   Federal interest, the Secretary shall refrain from using any  
 5   risk-based technique required under the studies described in  
 6   subsection (a) for the evaluation and design of a project  
 7   carried out in cooperation with the non-Federal interest un-  
 8   less the Secretary, in consultation with the task force, has  
 9   provided direction for use of the technique after consider-  
 10   ation of the independent evaluation required under sub-  
 11   section (a).

12       (d) *AUTHORIZATION OF APPROPRIATIONS.*—There are  
 13   authorized to be appropriated \$500,000 to carry out this  
 14   section.

15   **SEC. 318. SEDIMENTS DECONTAMINATION TECHNOLOGY.**

16       Section 405 of the Water Resources Development Act  
 17   of 1992 (Public Law 102–580; 33 U.S.C. 2239 note) is  
 18   amended—

19       (1) in subsection (a)—

20               (A) in paragraph (2), by adding at the end  
 21       the following: “The goal of the program shall be  
 22       to make possible the development, on an oper-  
 23       ational scale, of 1 or more sediment decon-  
 24       tamination technologies, each of which dem-

1           *onstrates a sediment decontamination capacity*  
 2           *of at least 2,500 cubic yards per day.”; and*

3           *(B) by adding at the end the following:*

4           *“(3) REPORT TO CONGRESS.—Not later than*  
 5           *September 30, 1996, and September 30 of each year*  
 6           *thereafter, the Administrator and the Secretary shall*  
 7           *report to Congress on progress made toward the goal*  
 8           *described in paragraph (2).”; and*

9           *(2) in subsection (c)—*

10           *(A) by striking “\$5,000,000” and inserting*  
 11           *“\$10,000,000”; and*

12           *(B) by striking “1992” and inserting*  
 13           *“1996”.*

14   **SEC. 319. MELALEUCA TREE.**

15           *Section 104(a) of the River and Harbor Act of 1958*  
 16           *(33 U.S.C. 610(a)) is amended by inserting “melaleuca*  
 17           *tree,” after “milfoil.”*

18   **SEC. 320. FAULKNER ISLAND, CONNECTICUT.**

19           *In consultation with the Director of the United States*  
 20           *Fish and Wildlife Service, the Secretary shall design and*  
 21           *construct shoreline protection measures for the coastline ad-*  
 22           *acent to the Faulkner Island Lighthouse, Connecticut, at*  
 23           *a total cost of \$4,500,000.*

1 **SEC. 321. DESIGNATION OF LOCK AND DAM AT THE RED**  
 2 **RIVER WATERWAY, LOUISIANA.**

3 (a) *DESIGNATION.*—Lock and Dam numbered 4 of the  
 4 Red River Waterway, Louisiana, is designated as the “Rus-  
 5 sell B. Long Lock and Dam”.

6 (b) *LEGAL REFERENCES.*—A reference in any law,  
 7 regulation, document, map, record, or other paper of the  
 8 United States to the lock and dam referred to in subsection  
 9 (a) shall be deemed to be a reference to the “Russell B. Long  
 10 Lock and Dam”.

11 **SEC. 322. JURISDICTION OF MISSISSIPPI RIVER COMMIS-**  
 12 **SION, LOUISIANA.**

13 The jurisdiction of the Mississippi River Commission  
 14 established by the Act of June 28, 1879 (21 Stat. 37, chapter  
 15 43; 33 U.S.C. 641 et seq.), is extended to include all of the  
 16 area between the eastern side of the Bayou Lafourche Ridge  
 17 from Donaldsonville, Louisiana, to the Gulf of Mexico and  
 18 the west guide levee of the Mississippi River from  
 19 Donaldsonville, Louisiana, to the Gulf of Mexico.

20 **SEC. 323. WILLIAM JENNINGS RANDOLPH ACCESS ROAD,**  
 21 **GARRETT COUNTY, MARYLAND.**

22 The Secretary shall transfer up to \$600,000 from the  
 23 funds appropriated for the William Jennings Randolph  
 24 Lake, Maryland and West Virginia, project to the State of  
 25 Maryland for use by the State in constructing an access

1 road to the William Jennings Randolph Lake in Garrett  
2 County, Maryland.

3 **SEC. 324. ARKABUTLA DAM AND LAKE, MISSISSIPPI.**

4 The Secretary shall repair the access roads to  
5 Arkabutla Dam and Arkabutla Lake in Tate County and  
6 DeSoto County, Mississippi, at a total cost of not to exceed  
7 \$1,400,000.

8 **SEC. 325. NEW YORK STATE CANAL SYSTEM.**

9 (a) *IN GENERAL.*—In order to make capital improve-  
10 ments to the New York State canal system, the Secretary,  
11 with the consent of appropriate local and State entities,  
12 shall enter into such arrangements, contracts, and leases  
13 with public and private entities as may be necessary for  
14 the purposes of rehabilitation, renovation, preservation, and  
15 maintenance of the New York State canal system and relat-  
16 ed facilities, including trailside facilities and other rec-  
17 reational projects along the waterways referred to in sub-  
18 section (c).

19 (b) *FEDERAL SHARE.*—The Federal share of the cost  
20 of capital improvements under this section shall be 50 per-  
21 cent. The total cost is \$14,000,000, with an estimated Fed-  
22 eral cost of \$7,000,000 and an estimated non-Federal cost  
23 of \$7,000,000.

24 (c) *DEFINITION OF NEW YORK STATE CANAL SYS-*  
25 *TEM.*—In this section, the term “New York State canal sys-



1 *tem'' means the Erie, Oswego, Champlain, and Cayuga-*  
 2 *Seneca Canals in New York.*

3 **SEC. 326. QUONSET POINT-DAVISVILLE, RHODE ISLAND.**

4 *The Secretary shall replace the bulkhead between piers*  
 5 *1 and 2 at the Quonset Point-Davisville Industrial Park,*  
 6 *Rhode Island, at a total cost of \$1,350,000. The estimated*  
 7 *Federal share of the project cost is \$1,012,500, and the esti-*  
 8 *mated non-Federal share of the project cost is \$337,500. In*  
 9 *conjunction with this project, the Secretary shall install*  
 10 *high mast lighting at pier 2 at a total cost of \$300,000,*  
 11 *with an estimated Federal cost of \$225,000 and an esti-*  
 12 *mated non-Federal cost of \$75,000.*

13 **SEC. 327. CLOUTER CREEK DISPOSAL AREA, CHARLESTON,**  
 14 **SOUTH CAROLINA.**

15 *(a) TRANSFER OF ADMINISTRATIVE JURISDICTION.—*  
 16 *Notwithstanding any other law, the Secretary of the Navy*  
 17 *shall transfer to the Secretary administrative jurisdiction*  
 18 *over the approximately 1,400 acres of land under the juris-*  
 19 *diction of the Department of the Navy that comprise a por-*  
 20 *tion of the Clouter Creek disposal area, Charleston, South*  
 21 *Carolina.*

22 *(b) USE OF TRANSFERRED LAND.—The land trans-*  
 23 *ferred under subsection (a) shall be used by the Department*  
 24 *of the Army as a dredge material disposal area for dredging*

1 *activities in the vicinity of Charleston, South Carolina, in-*  
 2 *cluding the Charleston Harbor navigation project.*

3 *(c) COST SHARING.—Nothing in this section modifies*  
 4 *any non-Federal cost-sharing requirement established under*  
 5 *title I of the Water Resources Development Act of 1986 (33*  
 6 *U.S.C. 2211 et seq.).*

7 **SEC. 328. NUISANCE AQUATIC VEGETATION IN LAKE GAS-**  
 8 **TON, VIRGINIA AND NORTH CAROLINA.**

9 *Section 339(b) of the Water Resources Development Act*  
 10 *of 1992 (Public Law 102–580; 106 Stat. 4855) is amended*  
 11 *by striking “1993 and 1994” and inserting “1995 and*  
 12 *1996”.*

13 **SEC. 329. CAPITAL IMPROVEMENTS FOR THE WASHINGTON**  
 14 **AQUEDUCT.**

15 *(a) AUTHORIZATIONS.—*

16 *(1) AUTHORIZATION OF MODERNIZATION.—Sub-*  
 17 *ject to approval in, and in such amounts as may be*  
 18 *provided in appropriations Acts, the Chief of Engi-*  
 19 *neers of the Army Corps of Engineers is authorized*  
 20 *to modernize the Washington Aqueduct.*

21 *(2) AUTHORIZATION OF APPROPRIATIONS.—*

22 *There is authorized to be appropriated to the Army*  
 23 *Corps of Engineers borrowing authority in amounts*  
 24 *sufficient to cover the full costs of modernizing the*  
 25 *Washington Aqueduct. The borrowing authority shall*

1     *be provided by the Secretary of the Treasury, under*  
 2     *such terms and conditions as are established by the*  
 3     *Secretary of the Treasury, after a series of contracts*  
 4     *with each public water supply customer has been en-*  
 5     *tered into under subsection (b).*

6     ***(b) CONTRACTS WITH PUBLIC WATER SUPPLY CUS-***  
 7     ***TOMERS.—***

8             ***(1) CONTRACTS TO REPAY CORPS DEBT.—****To the*  
 9     *extent provided in appropriations Acts, and in ac-*  
 10    *cordance with paragraphs (2) and (3), the Chief of*  
 11    *Engineers of the Army Corps of Engineers is author-*  
 12    *ized to enter into a series of contracts with each pub-*  
 13    *lic water supply customer under which the customer*  
 14    *commits to repay a pro-rata share of the principal*  
 15    *and interest owed by the Army Corps of Engineers to*  
 16    *the Secretary of the Treasury under subsection (a).*  
 17    *Under each of the contracts, the customer that enters*  
 18    *into the contract shall commit to pay any additional*  
 19    *amount necessary to fully offset the risk of default on*  
 20    *the contract.*

21            ***(2) OFFSETTING OF RISK OF DEFAULT.—****Each*  
 22    *contract under paragraph (1) shall include such addi-*  
 23    *tional terms and conditions as the Secretary of the*  
 24    *Treasury may require so that the value to the Govern-*  
 25    *ment of the contracts is estimated to be equal to the*

1        *obligational authority used by the Army Corps of En-*  
2        *gineers for modernizing the Washington Aqueduct at*  
3        *the time that each series of contracts is entered into.*

4            (3) *OTHER CONDITIONS.—Each contract entered*  
5        *into under paragraph (1) shall—*

6            (A) *provide that the public water supply*  
7        *customer pledges future income from fees assessed*  
8        *to operate and maintain the Washington Aque-*  
9        *duct;*

10          (B) *provide the United States priority over*  
11        *all other creditors; and*

12          (C) *include other conditions that the Sec-*  
13        *retary of the Treasury determines to be appro-*  
14        *priate.*

15        (c) *BORROWING AUTHORITY.—Subject to an appro-*  
16        *priation under subsection (a)(2) and after entering into a*  
17        *series of contracts under subsection (b), the Secretary, act-*  
18        *ing through the Chief of Engineers of the Army Corps of*  
19        *Engineers, shall seek borrowing authority from the Sec-*  
20        *retary of the Treasury under subsection (a)(2).*

21        (d) *DEFINITIONS.—In this section:*

22            (1) *PUBLIC WATER SUPPLY CUSTOMER.—The*  
23        *term “public water supply customer” means the Dis-*  
24        *trict of Columbia, the county of Arlington, Virginia,*  
25        *and the city of Falls Church, Virginia.*

1           (2) *VALUE TO THE GOVERNMENT.*—The term  
 2           “value to the Government” means the net present  
 3           value of a contract under subsection (b) calculated  
 4           under the rules set forth in subparagraphs (A) and  
 5           (B) of section 502(5) of the Congressional Budget Act  
 6           of 1974 (2 U.S.C. 661a(5)), excluding section  
 7           502(5)(B)(i) of the Act, as though the contracts pro-  
 8           vided for the repayment of direct loans to the public  
 9           water supply customers.

10           (3) *WASHINGTON AQUEDUCT.*—The term “Wash-  
 11           ington Aqueduct” means the water supply system of  
 12           treatment plans, raw water intakes, conduits, res-  
 13           ervoirs, transmission mains, and pumping stations  
 14           owned by the Federal Government located in the met-  
 15           ropolitan Washington, District of Columbia, area.

16 **SEC. 330. CHESAPEAKE BAY ENVIRONMENTAL RESTORA-**  
 17 **TION AND PROTECTION PROGRAM.**

18           (a) *ESTABLISHMENT.*—

19           (1) *IN GENERAL.*—The Secretary shall establish  
 20           a pilot program to provide environmental assistance  
 21           to non-Federal interests in the Chesapeake Bay water-  
 22           shed.

23           (2) *FORM.*—The assistance shall be in the form  
 24           of design and construction assistance for water-related  
 25           environmental infrastructure and resource protection

1     *and development projects affecting the Chesapeake*  
 2     *Bay estuary, including projects for sediment and ero-*  
 3     *sion control, protection of eroding shorelines, protec-*  
 4     *tion of essential public works, wastewater treatment*  
 5     *and related facilities, water supply and related facili-*  
 6     *ties, and beneficial uses of dredged material, and*  
 7     *other related projects that may enhance the living re-*  
 8     *sources of the estuary.*

9     **(b) PUBLIC OWNERSHIP REQUIREMENT.**—*The Sec-*  
 10    *retary may provide assistance for a project under this sec-*  
 11    *tion only if the project is publicly owned, and will be pub-*  
 12    *licly operated and maintained.*

13    **(c) LOCAL COOPERATION AGREEMENT.**—

14        **(1) IN GENERAL.**—*Before providing assistance*  
 15    *under this section, the Secretary shall enter into a*  
 16    *local cooperation agreement with a non-Federal inter-*  
 17    *est to provide for design and construction of the*  
 18    *project to be carried out with the assistance.*

19        **(2) REQUIREMENTS.**—*Each local cooperation*  
 20    *agreement entered into under this subsection shall*  
 21    *provide for—*

22            **(A)** *the development by the Secretary, in*  
 23    *consultation with appropriate Federal, State,*  
 24    *and local officials, of a facilities or resource pro-*  
 25    *tection and development plan, including appro-*

1        *priate engineering plans and specifications and*  
2        *an estimate of expected resource benefits; and*

3                *(B) the establishment of such legal and in-*  
4        *stitutional structures as are necessary to ensure*  
5        *the effective long-term operation and mainte-*  
6        *nance of the project by the non-Federal interest.*

7        *(d) COST SHARING.—*

8                *(1) FEDERAL SHARE.—Except as provided in*  
9        *paragraph (2)(B), the Federal share of the total*  
10       *project costs of each local cooperation agreement en-*  
11       *tered into under this section shall be 75 percent.*

12               *(2) NON-FEDERAL SHARE.—*

13               *(A) VALUE OF LANDS, EASEMENTS, RIGHTS-*  
14       *OF-WAY, AND RELOCATIONS.—In determining the*  
15       *non-Federal contribution toward carrying out a*  
16       *local cooperation agreement entered into under*  
17       *this section, the Secretary shall provide credit to*  
18       *a non-Federal interest for the value of lands,*  
19       *easements, rights-of-way, and relocations pro-*  
20       *vided by the non-Federal interest, except that the*  
21       *amount of credit provided for a project under*  
22       *this paragraph may not exceed 25 percent of the*  
23       *total project costs.*

24               *(B) OPERATION AND MAINTENANCE*  
25       *COSTS.—The non-Federal share of the costs of*

1           *operation and maintenance of carrying out the*  
2           *agreement under this section shall be 100 per-*  
3           *cent.*

4           *(e) APPLICABILITY OF OTHER FEDERAL AND STATE*  
5           *LAWS AND AGREEMENTS.—*

6           *(1) IN GENERAL.—Nothing in this section*  
7           *waives, limits, or otherwise affects the applicability of*  
8           *any provision of Federal or State law that would oth-*  
9           *erwise apply to a project carried out with assistance*  
10          *provided under this section.*

11          *(2) COOPERATION.—In carrying out this section,*  
12          *the Secretary shall cooperate fully with the heads of*  
13          *appropriate Federal agencies, including—*

14                 *(A) the Administrator of the Environmental*  
15                 *Protection Agency;*

16                 *(B) the Secretary of Commerce, acting*  
17                 *through the Administrator of the National Oce-*  
18                 *anic and Atmospheric Administration;*

19                 *(C) the Secretary of the Interior, acting*  
20                 *through the Director of the United States Fish*  
21                 *and Wildlife Service; and*

22                 *(D) the heads of such other Federal agencies*  
23                 *and agencies of a State or political subdivision*  
24                 *of a State as the Secretary determines to be ap-*  
25                 *propriate.*



1       (f) *DEMONSTRATION PROJECT.*—*The Secretary shall*  
 2 *establish at least 1 project under this section in each of the*  
 3 *States of Maryland, Virginia, and Pennsylvania. A project*  
 4 *established under this section shall be carried out using such*  
 5 *measures as are necessary to protect environmental, his-*  
 6 *toric, and cultural resources.*

7       (g) *REPORT.*—*Not later than December 31, 1998, the*  
 8 *Secretary shall transmit to Congress a report on the results*  
 9 *of the program carried out under this section, together with*  
 10 *a recommendation concerning whether or not the program*  
 11 *should be implemented on a national basis.*

12       (h) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
 13 *authorized to be appropriated to carry out this section*  
 14 *\$10,000,000, to remain available until expended.*

15       **SEC. 331. RESEARCH AND DEVELOPMENT PROGRAM TO IM-**  
 16                                   **PROVE SALMON SURVIVAL.**

17       (a) *SALMON SURVIVAL ACTIVITIES.*—

18               (1) *IN GENERAL.*—*The Secretary shall accelerate*  
 19 *ongoing research and development activities, and is*  
 20 *authorized to carry out or participate in additional*  
 21 *research and development activities, for the purpose of*  
 22 *developing innovative methods and technologies for*  
 23 *improving the survival of salmon, especially salmon*  
 24 *in the Columbia River Basin.*

1           (2) *ACCELERATED ACTIVITIES.*—Accelerated re-  
2       search and development activities referred to in para-  
3       graph (1) may include research and development re-  
4       lated to—

5           (A) *impacts from water resources projects*  
6       *and other impacts on salmon life cycles;*

7           (B) *juvenile and adult salmon passage;*

8           (C) *light and sound guidance systems;*

9           (D) *surface-oriented collector systems;*

10          (E) *transportation mechanisms; and*

11          (F) *dissolved gas monitoring and abate-*  
12       *ment.*

13          (3) *ADDITIONAL ACTIVITIES.*—Additional re-  
14       search and development activities referred to in para-  
15       graph (1) may include research and development re-  
16       lated to—

17          (A) *marine mammal predation on salmon;*

18          (B) *studies of juvenile salmon survival in*  
19       *spawning and rearing areas;*

20          (C) *estuary and near-ocean juvenile and*  
21       *adult salmon survival;*

22          (D) *impacts on salmon life cycles from*  
23       *sources other than water resources projects; and*

1           (E) other innovative technologies and ac-  
2           tions intended to improve fish survival, includ-  
3           ing the survival of resident fish.

4           (4) COORDINATION.—The Secretary shall coordi-  
5           nate any activities carried out under this subsection  
6           with appropriate Federal, State, and local agencies,  
7           affected Indian tribes, and the Northwest Power Plan-  
8           ning Council.

9           (5) REPORT.—Not later than 3 years after the  
10          date of enactment of this Act, the Secretary shall  
11          transmit to Congress a report on the research and de-  
12          velopment activities carried out under this subsection,  
13          including any recommendations of the Secretary con-  
14          cerning the research and development activities.

15          (6) AUTHORIZATION OF APPROPRIATIONS.—  
16          There are authorized to be appropriated \$10,000,000  
17          to carry out research and development activities  
18          under subparagraphs (A) through (C) of paragraph  
19          (3).

20          (b) ADVANCED TURBINE DEVELOPMENT.—

21               (1) IN GENERAL.—In conjunction with the Sec-  
22               retary of Energy, the Secretary shall accelerate efforts  
23               toward developing innovative, efficient, and environ-  
24               mentally safe hydropower turbines, including design

1       of “fish-friendly” turbines, for use on the Columbia  
2       River hydro system.

3           (2) *AUTHORIZATION OF APPROPRIATIONS.*—  
4       There are authorized to be appropriated \$12,000,000  
5       to carry out this subsection.

6           (c) *IMPLEMENTATION.*—Nothing in this section affects  
7       the authority of the Secretary to implement the results of  
8       the research and development carried out under this section  
9       or any other law.

10   **SEC. 332. RECREATIONAL USER FEES.**

11       (a) *IN GENERAL.*—Section 210(b)(4) of the Flood Con-  
12       trol Act of 1968 (16 U.S.C. 460d–3(b)(4)) is amended by  
13       inserting before the period at the end the following: “and,  
14       subject to the availability of appropriations, shall be used  
15       for the purposes specified in section 4(i)(3) of the Act at  
16       the water resources development project at which the fees  
17       were collected”.

18       (b) *REPORT.*—Not later than 90 days after the date  
19       of enactment of this Act, the Secretary shall prepare and  
20       submit to the Committee on Environment and Public Works  
21       of the Senate and the Committee on Transportation and  
22       Infrastructure of the House of Representatives a report,  
23       with respect to fiscal year 1995, on—

24           (1) the amount of day-use fees collected under  
25       section 210(b) of the Flood Control Act of 1968 (16

1       *U.S.C. 460d-3(b)) at each water resources develop-*  
 2       *ment project; and*

3               *(2) the administrative costs associated with the*  
 4       *collection of the day-use fees at each water resources*  
 5       *development project.*

6   **SEC. 333. SHORELINE EROSION CONTROL DEMONSTRATION.**  
 7               **TION.**

8       *(a) NATIONAL SHORELINE EROSION CONTROL DEVELOPMENT AND DEMONSTRATION PROGRAM.—The Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426e*  
 9       *et seq.), is amended by adding at the end the following:*  
 10  
 11

12   **“SEC. 5. NATIONAL SHORELINE EROSION CONTROL DEVELOPMENT AND DEMONSTRATION PROGRAM.**  
 13               **”**

14       *“(a) DEFINITIONS.—In this section:*

15               *“(1) EROSION CONTROL PROGRAM.—The term*  
 16       *‘erosion control program’ means the national shoreline erosion control development and demonstration*  
 17       *program established under this section.*  
 18

19               *“(2) SECRETARY.—The term ‘Secretary’ means*  
 20       *the Secretary of the Army, acting through the Chief of Engineers of the Army Corps of Engineers.*  
 21

22       *“(b) ESTABLISHMENT OF EROSION CONTROL PROGRAM.—The Secretary shall establish and conduct a na-*  
 23       *tional shoreline erosion control development and demonstra-*  
 24

1 *tion program for a period of 8 years beginning on the date*  
 2 *that funds are made available to carry out this section.*

3 *“(c) REQUIREMENTS.—*

4 *“(1) IN GENERAL.—The erosion control program*  
 5 *shall include provisions for—*

6 *“(A) demonstration projects consisting of*  
 7 *planning, designing, and constructing prototype*  
 8 *engineered and vegetative shoreline erosion con-*  
 9 *trol devices and methods during the first 5 years*  
 10 *of the erosion control program;*

11 *“(B) adequate monitoring of the prototypes*  
 12 *throughout the duration of the erosion control*  
 13 *program;*

14 *“(C) detailed engineering and environ-*  
 15 *mental reports on the results of each demonstra-*  
 16 *tion project carried out under the erosion control*  
 17 *program; and*

18 *“(D) technology transfers to private prop-*  
 19 *erty owners and State and local entities.*

20 *“(2) EMPHASIS.—The demonstration projects*  
 21 *carried out under the erosion control program shall*  
 22 *emphasize, to the extent practicable—*

23 *“(A) the development and demonstration of*  
 24 *innovative technologies;*

1           “(B) efficient designs to prevent erosion at  
2 a shoreline site, taking into account the life-cycle  
3 cost of the design, including cleanup, maintenance,  
4 and amortization;

5           “(C) natural designs, including the use of  
6 vegetation or temporary structures that minimize  
7 permanent structural alterations;

8           “(D) the avoidance of negative impacts to  
9 adjacent shorefront communities;

10          “(E) in areas with substantial residential  
11 or commercial interests adjacent to the shoreline,  
12 designs that do not impair the aesthetic appeal  
13 of the interests;

14          “(F) the potential for long-term protection  
15 afforded by the technology; and

16          “(G) recommendations developed from evaluations  
17 of the original 1974 program established  
18 under the Shoreline Erosion Control Demonstration  
19 Act of 1974 (section 54 of Public Law 93–  
20 251; 42 U.S.C. 1962d–5 note), including—

21               “(i) adequate consideration of the  
22 subgrade;

23               “(ii) proper filtration;

24               “(iii) durable components;

1                   “(iv) adequate connection between  
2                   units; and

3                   “(v) consideration of additional rel-  
4                   evant information.

5                   “(3) SITES.—

6                   “(A) IN GENERAL.—Each demonstration  
7                   project under the erosion control program shall  
8                   be carried out at a privately owned site with  
9                   substantial public access, or a publicly owned  
10                  site, on open coast or on tidal waters.

11                  “(B) SELECTION.—The Secretary shall de-  
12                  velop criteria for the selection of sites for the  
13                  demonstration projects, including—

14                       “(i) a variety of geographical and cli-  
15                       matic conditions;

16                       “(ii) the size of the population that is  
17                       dependent on the beaches for recreation,  
18                       protection of homes, or commercial interests;

19                       “(iii) the rate of erosion;

20                       “(iv) significant natural resources or  
21                       habitats and environmentally sensitive  
22                       areas; and

23                       “(v) significant threatened historic  
24                       structures or landmarks.



1           “(C) AREAS.—*Demonstration projects*  
 2           *under the erosion control program shall be car-*  
 3           *ried out at not fewer than 2 sites on each of the*  
 4           *shorelines of—*

5                     “(i) *the Atlantic, Gulf, and Pacific*  
 6                     *coasts;*

7                     “(ii) *the Great Lakes; and*

8                     “(iii) *the State of Alaska.*

9           “(d) COOPERATION.—

10                   “(1) PARTIES.—*The Secretary shall carry out*  
 11                   *the erosion control program in cooperation with—*

12                             “(A) *the Secretary of Agriculture, particu-*  
 13                             *larly with respect to vegetative means of prevent-*  
 14                             *ing and controlling shoreline erosion;*

15                             “(B) *Federal, State, and local agencies;*

16                             “(C) *private organizations;*

17                             “(D) *the Coastal Engineering Research Cen-*  
 18                             *ter established under the first section of Public*  
 19                             *Law 88–172 (33 U.S.C. 426–1); and*

20                             “(E) *university research facilities.*

21                   “(2) AGREEMENTS.—*The cooperation described*  
 22                   *in paragraph (1) may include entering into agree-*  
 23                   *ments with other Federal, State, or local agencies or*  
 24                   *private organizations to carry out functions described*  
 25                   *in subsection (c)(1) when appropriate.*

1       “(e) *REPORT*.—Not later than 60 days after the con-  
 2 clusion of the erosion control program, the Secretary shall  
 3 prepare and submit an erosion control program final report  
 4 to the Committee on Environment and Public Works of the  
 5 Senate and the Committee on Transportation and Infra-  
 6 structure of the House of Representatives. The report shall  
 7 include a comprehensive evaluation of the erosion control  
 8 program and recommendations regarding the continuation  
 9 of the erosion control program.

10       “(f) *FUNDING*.—

11               “(1) *IN GENERAL*.—Subject to paragraph (2), the  
 12 Federal share of the cost of a demonstration project  
 13 under the erosion control program shall be determined  
 14 in accordance with section 3.

15               “(2) *RESPONSIBILITY*.—The cost of and respon-  
 16 sibility for operation and maintenance (excluding  
 17 monitoring) of a demonstration project under the ero-  
 18 sion control program shall be borne by non-Federal  
 19 interests on completion of construction of the dem-  
 20 onstration project.”.

21       “(b) *CONFORMING AMENDMENT*.—Subsection (e) of the  
 22 first section of the Act of August 13, 1946 (60 Stat. 1056,  
 23 chapter 960; 33 U.S.C. 426e(e)), is amended by striking  
 24 “section 3” and inserting “section 3 or 5”.

1 **SEC. 334. TECHNICAL CORRECTIONS.**

2 (a) CONTRIBUTIONS FOR ENVIRONMENTAL AND  
 3 RECREATION PROJECTS.—Section 203(b) of the Water Re-  
 4 sources Development Act of 1992 (33 U.S.C. 2325(b)) is  
 5 amended by striking “(8662)” and inserting “(8862)”.

6 (b) CHALLENGE COST-SHARING PROGRAM.—The sec-  
 7 ond sentence of section 225(c) of the Act (33 U.S.C. 2328(c))  
 8 is amended by striking “(8662)” and inserting “(8862)”.

S 640 RS——2

S 640 RS——3

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S 640 RS——11